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Confederated Tribes and Bands of Yakama Nation v. United States

United States Court of Federal Claims - June 3, 2024 - Fed.Cl. - 2024 WL 2821840

Confederated Tribes and Bands of the Yakama Nation and tribal corporation brought action against the United States alleging that United States breached its trust with the Tribe and a takings claim related to damages from wildfire.

The United States moved to dismiss.

The Court of Federal Claims held that:

- Yakama Nation plausibly pled that Government had conventional trust relationship and conventional fiduciary relationship, for purposes of establishing jurisdiction under Indian Tucker Act for claim of breach of trust;
- Yakama Nation plausibly alleged claim of breach of trust against United States;
- Yakama Nation's allegation that United States' authorized government action in failing to adequately address fire hazard was sufficient to allege that wildfire was direct, natural, or probable result of United States' action, as required to establish causation for takings claim;
- Yakama Nation's allegations of United States' general forest mismanagement and reallocation of firefighting resources were insufficient to state takings claim based on inverse condemnation;
- Yakama Nation plausibly alleged that United States preempted their right to enjoy their property for an extended period of time, as required to state takings claim based on inverse condemnation;
- Continuing claims doctrine applied to statute of limitations for Yakama Nation's claims; and
- Yakama Nation waived damages for harms or violations occurring before date of settlement agreement with United States.