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*Babbitt v. Sweet Home Chapter of Communities for a Great Oregon: A Legislative Challenge  
Between Private Landowners and the Endangered Species Act*

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Abstract by Sarah P. Kenney

This case note provides an analysis of the Supreme Court's decision in *Babbitt v. Sweet Home Chapter of Communities for a Great Oregon*, which held that the Endangered Species Act of 1973 (ESA) can limit the ability of private landowners to develop their land in order to protect habitats of endangered wildlife species. Although agreeing with the Court's decision, the author recommends that Congress amend ESA's "harm" regulation so that the federal government, rather than individual landowners, bear the financial burden of habitat preservation. This note examines the legal and procedural backdrop of *Sweet Home*, analyzes the significance of the Court's decision, and provides suggestions to mitigate the damages to private landowners.