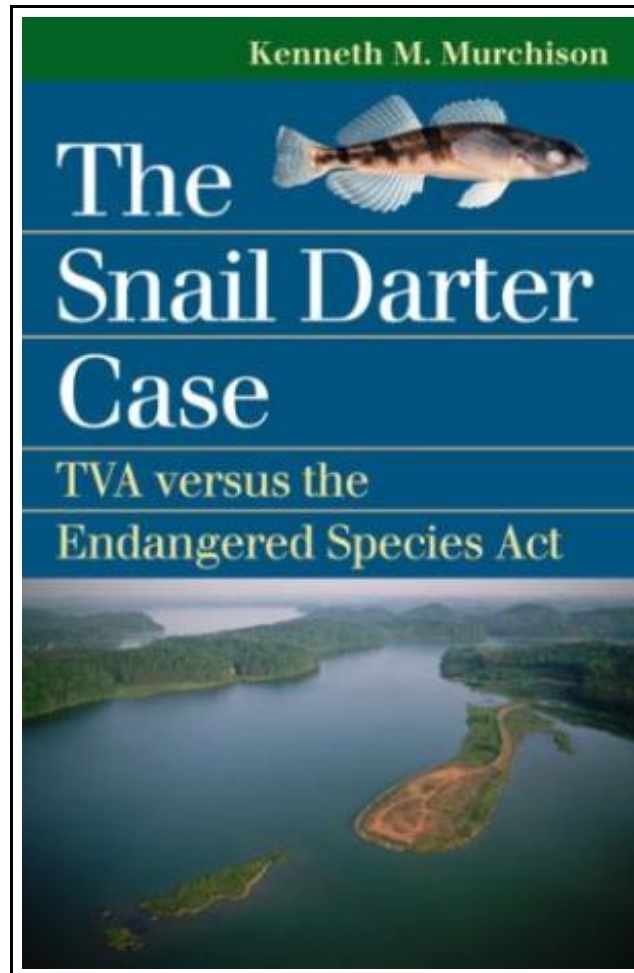


The Snail Darter Case: TVA Versus the Endangered Species Act



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(Russell Adams DDS)

THE SNAIL DARTER CASE: TVA VERSUS THE ENDANGERED SPECIES ACT



University Press of Kansas. Paperback. Book Condition: new. BRAND NEW, The Snail Darter Case: TVA Versus the Endangered Species Act, Kenneth M. Murchison, With the discovery of a tiny fish in a soon-to-be-flooded stretch of the Little Tennessee River, construction on a dam that had already cost taxpayers \$100 million came crashing to a halt. Thanks to the Endangered Species Act of 1973, the snail darter was instantly transformed into both an icon for species preservation and a despised symbol of the environmental movement's alleged excesses. The intense legal battle that ensued over its fate was contested all the way to the Supreme Court. The 1978 decision in *TVA v. Hill*, the Court's first decision interpreting the Endangered Species Act, remains one of the most instructive cases in American environmental law. Affirming an injunction that prohibited the Tennessee Valley Authority from completing the Tellico Dam because it would eliminate the snail darter's only known habitat, the Supreme Court resolved an intragovernmental dispute between the TVA and the Interior Department as well as the claims of the local opponents of the dam. Kenneth Murchison reveals that the snail darter case was just one part of a long struggle over whether the TVA should build the Tellico Dam. He traces disputes over the TVA's mission back to the 1930s and intertwines this with the emergence of federal environmental law in the 1960s and 1970s, culminating in the National Environmental Policy Act and Endangered Species Act, both of which provided a statutory basis for litigating against the dam builders. He continues with an exhaustive analysis of the arguments, deliberations, and decision of the Supreme Court, based largely on original sources, before concluding with a summary of the subsequent congressional actions and administrative proceedings that ultimately allowed the dam's completion. By plumbing the Court's...



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