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# Northern Illinois University Law Review

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## COMMENTS

### The Great De-Bait: America, Deer Hunting, and the Camouflage of Anti/Pro-Baiting Regulations

Cole DeBlaey ..... 1

*Big-game baiting is hunting's civil war of the soul, a battle of ideas like few the sport has ever seen. Most debates in the hunting community deal with the mechanics of the sport, nuts-and-bolts issues such as season dates, equipment and management strategies of wildlife agencies. This one is different. It questions the heart, soul, and motive of a hunter—and that inflames deep passions. The argument has been waged between brothers in the world's oldest sport at hunting lodges, wildlife agencies, seats of government, and the ballot box.*

*This Comment canvases and attempts to demystify the camouflage of pro and anti-baiting regulations across the United States, arguing that these laws possibly need to be amended to return deer hunting to the ideals of sport and conservation that our forefathers intended. A brief history of deer hunting will begin this discussion, showing the pendulum swing of extreme highs and lows of not only the American deer population but also the sport and industry itself. Within this Comment will be an analysis of "the great de-bait" and the ethical, societal, and territorial divide amongst the nation, in an attempt to explain why states choose to permit baiting or prohibit baiting, or allow a combination of the two decisions. Following this analysis will be an introduction to possible alternative hunting methods, practices, and tactics that states could allow hunters to use instead of baiting, which may possibly limit the biological, ethical, fiscal, and societal concerns associated not only with baiting but the practice of hunting itself. This Comment will conclude with a discussion of the possible economic repercussions to the hunting industry and American economy as a whole if baiting laws were to be amended or if baiting was eliminated in entirety.*

### Muddy Waters: Why Polluted Groundwater Infiltrating Navigable Waters Should Not Be Excluded From National Pollutant Discharge Elimination System Permitting

Tad Juilfs ..... 30

*The debate over whether the Clean Water Act has jurisdiction over migratory groundwater in the same way that it does over navigable waters of the United States (regarding effluent standards) has left a wide split among courts attempting to interpret and apply the policy, goals, and language of the law. The problem lies in the difference between applying the law given its objectives and goals, or in a strict fashion using simply the language in the text of the Clean Water Act, while supplementing support from legislative and case law history. First in this Note, background information is provided regarding the history of the Clean Water Act, National Pollutant Discharge Elimination System (NPDES) permits and the U.S.*

*Environmental Protection Agency regulation, navigable waters of the United States, and the relation of migratory groundwater to this process. What follows is a discussion of methods, rules, and rationales courts and legal authorities have used and provided when holding and not holding that pollutants to migratory groundwater which reach navigable waters of the United States should be regulated through NPDES permitting. Finally, there is a review as to the reason why the Clean Water Act does have jurisdiction over pollutants to migratory groundwater which reach navigable waters and a recommendation that such regulation should occur via NPDES permits.*

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