The Texas Wildlife Association is seeking to improve certain aspects surrounding the “10-Day Rule” by amending the state’s Deer Breeder Program and/or Deer Breeder Program Transfer Permit (DBPTP) by adding four new components to the program.

The statutory language associated with the “10-Day Rule” specifically requires that any buck breeder deer released during any open season or 10 days prior to any open season must have its antlers reduced by cutting off the antler between the pedicel and G3 (effectively eliminating any trophy value). Practically speaking, the effect of this statute is that it permits the harvest of buck deer that have been released just 10 days prior.

The TWA Executive Committee, based on a recommendation from the TWA White-tailed Deer Management Committee, approved on January 15 a set of policy directives to accomplish these overriding goals:

- Protecting our Hunting Heritage in Texas and those industries that serve it,
- Allowing deer time to become acclimated in the wild before being subjected to hunting, and
- Promoting that public safety should always be paramount when drugs are used in deer management.

The TWA White-tailed Deer Management Committee actively discussed and debated possible solutions to concerns regarding the “10-Day Rule” (TPWD Code, Subchapter L, Sec. 43.363) since August 2012. Three committee meetings and nearly 100 hours of committee outreach to 13 stakeholder organizations were completed as part its process of discussion and recommendation to the TWA Executive Committee.

A. TWA Policy Directives

1. For improved deer acclimation in the wild and for better promotion of our state’s Hunting Heritage, the “10-Day Rule” should be changed (via phase-in period outlined below) to a “60-Day Rule.” The progressive phase-in period of 60 days is calculated from the first day of the earliest legal hunting season in Texas. For example, if the MLDP season theoretically began on October 1, the progressive phase-in dates would be September 1 in 2014, August 15 in 2015, and August 1 in 2016.

2. Deer that have been injected directly with drugs or exposed to drugs through their feed or otherwise must have the veterinarian that prescribed those drugs recommend any further time beyond the 60 days to refrain from shooting or consuming these deer. All deer managed with drugs should be under the direction of a veterinarian.

3. A box on the DBPTP for the BREEDER, or its agent, to state that either the deer being sold and/or released have had no exposure to drugs or if they have been exposed. If exposed, the Breeder or its agent will disclose the drug name(s) & the date(s) of last exposure.

4. A box on the DBPTP for the RECIPIENT, or its agent, to check that they have read and understand that these deer must not be harvested or consumed for a minimum of 60 days, and possibly longer, if the prescribing veterinarian so recommends.

B. Implementation of Above Rules

Phase-in A.1. over a three-year period:
1. Change A.1. in 2014 to 30 days*
2. Change A.1. in 2015 to 45 days*
3. Change A.1. in 2016 and every year thereafter to 60 days*

*Subject to any additional days that the prescribing veterinarian feels is adequate time for drug withdrawal in subject deer.

C. In Conclusion

This policy directive reflects TWAs long-standing defense and promotion of the heritage and traditions of hunting and TWA’s support of legal, fair chase hunting. It is a practical solution to the never-ending discussions surrounding the release of deer into a hunting environment. The policy directive not only meets the three above stated goals, but it also allows the Breeder Industry time to adjust to these release date changes in their business models.

TWA Highlights Certain Positive Outcomes of “Fiscal Cliff” Deal

The Texas Wildlife Association pointed to several positive outcomes for Texas landowners and wildlife stewards from the “American Taxpayer Relief Act of 2012” approved by Congress and signed into law in early January to avoid the “fiscal cliff.”

Federal Estate Tax

The new law includes new permanent amounts for the federal estate tax. Estates worth $5 million or less per person ($10 million per couple) will be exempt from the death tax. Estates worth more than that will pay a 40 percent tax on anything over the exemption level. As an added benefit, these levels are indexed for inflation and also...
include a stepped-up basis.

TWA supports complete repeal of the federal estate tax. Although repeal remains a policy goal, the new permanent amounts are better than the alternative of the “fiscal cliff,” which would have been a 55 percent tax on anything over a $1 million per person ($2 million per couple) exemption level.

Enhanced Easement Incentive

The new law renews the enhanced tax incentive for conservation easements for 2012 and 2013. The enhanced tax incentive makes the donated conservation easement feasible for many more of Texas’ ranchers and farmers who want to protect their lands, and in particular, for those who make their living from agriculture. This is a critical conservation tool for landowners and for the Texas Agricultural Land Trust, an organization strongly supported by TWA.

Farm Bill

The package also extends the 2008 Farm Bill until September 2013. CSP, FPP, EQIP and WHIP were extended through 2014 by a law previously passed by Congress and should remain unaffected until a new Farm Bill is approved, hopefully later this year.

Conservation Reserve Program funding, with the exception of the transition program for beginning farmers, also appears to be safe for now. However, the Wetland Reserve Program (WRP), Grassland Reserve Program (GRP) and Voluntary Public Access (VPA) Program, and the Livestock Disaster Relief Program were among the 37 programs whose baseline funding expired in 2012.

It is hoped that Congress can pass a new Farm Bill before the summer recess, which would give USDA staff time to develop and implement program rules before the current extension expires next fall.