



January 22, 2020

Chairman S. Reed Morian and TPWD Commissioners  
c/o Alan Cain  
Texas Parks and Wildlife Department  
4200 Smith School Road  
Austin, TX 78744

Dear Chairman Morian and TPWD Commissioners:

On behalf of the Texas Deer Association, please let this letter serve as formal comment regarding the proposed amendments governing the Managed Lands Deer Program (MLDP) published in the Texas Register for public comment. The proposed amendments would amend the following: 1) Establish fees and payment deadlines for participation in the MLDP; 2) Synchronize the deadline for a program participant to decline participation in the MLDP with the deadline for fee payment; 3) Clarify the requirements for enrollment of management units and aggregate acreages in the MLDP; and 4) Allow MLDP tags to be used on any tract of land within an aggregate acreage enrolled in the Conservation Option of the MLDP.

Regarding the proposed establishment of fees and payment deadlines, the Texas Deer Association stands in opposition to implementing any fees or payment for enrollment into the Conservation Option of the Managed Lands Deer Program. Under the permit today, landowners across Texas spend a tremendous amount of time, energy, and money improving habitat, natural resources, and white-tailed deer populations on their own land. During legislative hearings on Senate Bill 733 (the enactment legislation passed for this fee), much of the opposition to the bill was from individual landowners and permittees voicing their concerns about additional “taxes” and “fees” on property owners who have earned their permit by improving privately owned land.

Many of the enrollees currently spend tens of thousands of dollars attaining compliance of the existing requirements for the current Conservation Option. The existing requirements include: prescribed burning; grazing management; brush management; vegetation establishment; water enhancement/watershed management; erosion control; fence construction/modification; control of exotic/invasive species; timber management; supplemental shelter; and lastly cropland management. The Texas Deer Association believes these landowners have taken great efforts to make Texas better, and should not be penalized, taxed, or assessed any fee for their voluminous efforts to comply with the requirements of the Managed Lands Deer Program.

Furthermore, while minor administrative costs may exist for the administration of the program, the Texas Deer Association feels that the burden of administrative compliance of the Conservation Option has been almost completely shifted from the Department to the landowner. There are no site visits required of TPWD staff biologists and all data/reporting requirements are assembled by and at the expense of the landowner. Additionally, based upon recent staff direction, all tags are now submitted electronically from staff to the permittee, and physically printed by and at the expense of the landowner. Therefore, the Texas Deer Association remains consistent that no fee should be assessed for the Conservation Option of the Managed Lands Deer Program.

While the Texas Deer Association is against the adoption of fees for the Conservation Option of the MLDP program, should the Commission choose to adopt a fee, the Texas Deer Association agrees with the proposed amendments regarding the synchronization of the deadline for a program participant to decline participation in the MLDP program with the deadline for fee payment. Additionally, should the Commission adopt a fee and payment deadlines for the MLDP program, the Commission should simultaneously require that the department accept credit card payments for enrollment. Nearly every major permit at TPWD requires the use of computer technology to access permit logistics or administration for a permittee. The Texas Deer Association urges the Commission to request the Department update its payment systems to allow for credit cards to meet modern payment standards.

Regarding clarifying the requirements for enrollment of management units and aggregate acreages in the MLDP, the Texas Deer Association agrees with the proposed amendments. However, as stated previously, the Texas Deer Association urges the Commission to not charged a fee for unique management units within the tract of land (i.e., the property is divided into multiple "high-fenced" pastures) or for landowners that may desire to have a harvest quota and tag issuance for unique management units with the tract of land (i.e., separate pastures are leased to different groups of hunters).

Regarding allowing the MLDP tags to be used on any tract of land within an aggregate acreage enrolled in the Conservation Option of the MLDP, the Texas Deer Association agrees with the proposed amendments.

Your attention to our concerns is greatly appreciated. Should you have any questions or concerns regarding our formal comment, please do not hesitate to contact our Association.

Respectfully,

A handwritten signature in black ink that reads "Patrick Tarlton". The signature is written in a cursive, flowing style.

Patrick Tarlton  
Executive Director  
Texas Deer Association