

# DEER BREEDERS VS THE WORLD

## THE ETHICS OF FAIR CHASE



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**I recently attended a meeting of the Texas Parks and Wildlife (TPW) Commission, which sets policy for the Texas Parks and Wildlife Department (TPWD). Commissioners met to discuss and vote on an enhanced set of rules under which deer breeders could continue their business and in specific cases, move deer around the state as long as they meet new testing requirements. Besides increased testing, one of the significant changes proposed was that breeders can no longer release pen-raised deer onto low-fenced ranches. Further, these new rules add a more comprehensive records-keeping requirement to the testing protocol—ultimately creating a higher cost burden for breeders.**

The process began with an assemblage of 35 stakeholders, made up of biologists, agencies, hunter-conservationist groups as well as the deer breeders. The initial 35 was reduced to 14 stakeholders and a series of meetings were held in Austin to hammer out new rules where compromise could be reached. This process culminated in Consensus Rules, which were presented to the TPW Commission on May 26.

The day before that commission meeting, the deer breeders decided they would not support the Consensus Rules which had been agreed to in the stakeholders meetings. In short, they made it clear they would not support the new rules or any other imposition on their “rights.” Of particular note regarding their tactics, when the

commission met on May 26, there were a couple of hundred folks representing themselves as deer breeders in attendance, as compared to the other groups that participated in the stakeholder meetings. The other groups believed the matter was settled and didn’t bother to attend. The deer breeder group must have outnumbered the proponents of the new rules by 30 to 1. In response, the commission tabled any action on the matter to make sure they received adequate feedback from both sides of the issue.

On June 20, the commission reconvened to hear testimony regarding the new rules proposed by the TPWD staff, most of which were supported in the consensus agreement. This time, those that favor increased testing protocol and enhanced rules came out in droves. Once again, the deer breeders showed up as a large contingent but when they saw the lay of the land, they wanted no part of it and did not participate further in the discussion. From that point, there were several hours of testimony from biologists, hunter-conservation groups, including the Boone and Crockett Club, ranchers, public officials, individual hunters, students and even a few breeders that weren’t aligned with the others. After those present spoke in favor of conservation of wild deer regarding rules to contain CWD, the commission ultimately voted unanimously to put the new rules in place.

All is well and good, right? Well, not really.

Both sides of this argument consider the other side

a threat to the hunting way of life. The breeders say it is a property rights issue and we say it is an animal health issue. They say they are building better deer, we say they are breeding livestock. They say they are protecting and improving the future of hunting and we say they are not hunting at all. Ultimately, this all comes down to the North American Model and the Public Trust Doctrine. Under this umbrella, this is not about property rights because the deer are not the property of any individual and the “right” is based on a permit that can, and at times is, be revoked.

The TPW Commission agreed that breeding facilities and operations need a better set of rules to protect the wild herd and acted accordingly. The problem is that the gap between the breeders and the rest of us remains unresolved and there is good reason to believe that it will widen before we all find our way back to the center. A few facts to keep in mind. The deer breeders clearly have the right to conduct a legal business and pursue a profit. At the same time, in the pursuit of their profit, they also own the risk associated with their business and part of that risk is the possibility that the rules will change when there is an animal health concern. Unfortunately, in this fight, there seems to be no quarter for compromise or diplomacy. That being the case, the state agencies simply have to do what is best for the wild herd without regard for the business model that has inserted itself into the process of managing and conserving this

precious wild resource that belongs to all of us.

It should be noted not all deer breeders blindly follow the lead of the louder more melodramatic group that walked out. Many just want to know what the rules are and live well within them. In fact, some have always exceeded the minimum testing requirements, even before they were tightened, and show great concern for the wild herds. We need to engage these folks, as they may be the catalyst group that opens the lines of communication necessary to moderate the threat of CWD vectors within the breeder business.

In the meantime, it is an unfortunate state of affairs that will cost huge amounts of public resources, money, and time. In my opinion, they brought the fight to us, and we can neither retreat nor surrender. If they won’t even participate in the discussion they should be allowed to suffer the consequences. The ideas contained within the North American Model must be reinforced and upheld—and I, along with many in this Club and most of the hunting community, stand ready to do just that. For now, it is the deer breeders against the world. ■

A handwritten signature in black ink, appearing to read 'D. Pedrotti'.