

## SPORTS AFIELD and Rowland Ward Become Corporate Sponsors

Conservation Force has been very selective about our corporate sponsors. We are now proud to announce two more. The first is SPORTS AFIELD, the world's premier hunting and adventure magazine, established in 1887. See <http://sportsafield.com>. The magazine is the "oldest outdoor publication in North America." That is the kind of sponsor we want to have.

The magazine has gone through many changes in its 131 years, but today it is a high-quality, high-end magazine focused exclusively on big-game hunting adventure and particularly on adventure writing for traveling big-game hunters, which fits well with the work of Conservation Force. The primary goal is to inspire hunters with exciting adventure stories about the most desirable game species. In addition, the magazine strives to keep



John J. Jackson, III



hunters informed with articles that cover top hunting destinations, tools and gear, conservation issues, and the skills they need to successfully pursue a variety of game animals. All of this, too, fits with Conservation Force. The magazine is owned by Safari Press.

The second sponsor is Rowland Ward Ltd., founded 1870, and also owned by Safari Press. The most enduring and most famous publication of Rowland Ward's is *Records of Big Game*, the original of the record books, first started in 1882.

See [rowlandward.com](http://rowlandward.com). The entries in the record book include the true "who's who" like King George V, Queen Elizabeth II, Sir Winston Churchill, President Theodore Roosevelt and more recently after World War II, Ernest Hemingway, Robert Ruark, and Jack O'Connor,

to name but a few historic entrants. Today it is in its 29th EDITION. Two of the record book's distinctions are its emphasis on the quality of the animal rather than the hunter, and its dedication to fair-chase.

The mission of Rowland Ward is to help preserve and increase the habitat of (large) fauna worldwide by supporting sustainable fair-chase hunting with a direct benefit to the local indigenous people of the areas involved. To further this goal, Rowland Ward maintains an accurate and credible database of measurements of big-game animals from Africa, Asia, Europe, the Americas, and Oceania that have been hunted only under the highest fair-chase standards. This too fits well with Conservation Force.

An interesting thing about Rowland was all of his family were taxidermists as well as publicists. His father, Edwin Henry Rowland, traveled with John James Audubon on his expeditions and collected and prepared the bird skins for Audubon that were later used in the artist's masterpiece *The Birds of America*. ■



## Conservation Leader Dennis Campbell Passes

Grand Slam Club-Ovis Executive Director Dennis Campbell passed away on February 3, 2018 at his home in Alabama. He died of a melanoma mole on his back that metastasized despite repeated surgical procedures to eliminate the cancer as it progressed. The disease was discovered in 2014 but Dennis kept it to himself and vigorously continued with his leadership of GSCO and his hunting.

Dennis resolutely expressed that he wanted to "live (fully) until he died" and indeed he did. In his last year he went to South Baja, Mexico twice, took a safari in Cameroon, Africa and another in South Africa and continued both his hunting and

conservation missions. For much of his last four years he organized and bolstered GSCO to be an even greater and better organization after his passing. This great man and my friend gave to his end. He even gave \$100,000.00 to the Grand Slam Club/Ovis Dennis Campbell Conservation Fund to begin the fund at his death. Dennis requested that any sort of memorial contribution be made to that 501(c)(3) fund for conservation activities in his memory. He did this to encourage others to get involved with wildlife conservation by sending a tax-

deductible contribution to this fund at GSCO, P.O. Box 310727, Birmingham, AL 35231. Chrissie and I attended his funeral along with some of the greatest mountain hunters of all time. Conservation Force has contributed to the memorial conservation fund in Dennis' honor just as he requested.

Dennis was a deeply religious man who served God as well as wildlife and the hunting community. He was a church council member and deacon, he served as an adult Sunday School teacher for over 25 years, and he even published a book of



proverbs—along with other activities too numerous to describe here.

Dennis was appointed as the unpaid Executive Director of Grand Slam Club in 1990. He was a life member of FNAWS, served on its board and even as its First Vice President. Under his leadership the Grand Slam Club started, then ended its cooperative alliance/partnership with FNAWS, evolved into GSCO, and grew from 400 to over 5,600 members today.

Dennis was an extraordinary hunter who took more than 400 species and won the Pantheon Award as well as the Caldesi Award. That said, and as the funeral papers stated, “Dennis considered himself more a conservationist than a hunter.” His early conservation activities can be traced back to 1977 when he served as director of the Alabama Wildlife Federation and started its Life Membership program, becoming the first life member. He was also a founding member of the prominent Alabama Chapter of SCI in the late ‘70s. During his 27 years as the executive director of GSCO that organization donated over nine million dollars to conservation as well as more than half a million dollars to Conservation Force over the past 20 years. Dennis was dedicated to the message that “HUNTING IS THE #1 CONSERVATION TOOL,” a message on a giant banner across the full stage for the duration of each GSCO Convention in the past few years. He made a special point of broadcasting that conservation message and displaying that conservation banner as if it was his legacy wish while, unbeknownst to all but a few, his cancer took its toll. When it was first displayed he announced it would be displayed the following two years and it has been.

Dennis prided himself with the fact that the GSCO Super Slam programs incentivize hunters to hunt more and to hunt more species and said, “Through these programs, we are a major contributor to the North American Wildlife Conservation Model.” His interest extended beyond the 29 North American big game animals to game and ungulate species

worldwide. The GSCO board of directors established a formula that quantified that the award programs “generate more than \$80 million annually for wildlife conservation” (\$100 million at the Convention in 2018). Dennis deeply believed that “trophy hunting” was saving the hunted game and its habitat that there was an economic battle with livestock and “progress” for space and survival. The hunting pays the underlying bills—it is conservation and it is the number one tool for conservation. As Dennis would say, the hunting is the reason for game to still be there or to bring it back.

Dennis was a true friend to Conservation Force, which says as much about the conservationist that he was as it says about us. He cared. GSCO began sponsoring the printing costs of this BULLETIN in 2005, after the death of H.I.H. Prince Abdorreza, who had been bearing those costs. Dennis himself was a personal donor to Conservation Force from time to time, and GSCO has provided \$25,000 to \$50,000 a year in support over most of the past two decades. That has made it one of our big five supporters in most years and he was proud of this fact. He wanted to give more and hoped to be one of the two or three top donors, which GSCO was at one time.

As early as Conservation Force’s successful argali litigation against animal extremist organizations in 2001, Dennis wrote:

*John, I absolutely applaud your efforts.... I guess what this really does is prove what kind of man you are, which is totally unselfish and a true conservationist. I hope that one day I can be judged as a true conservationist, just as I have judged you to be. Your efforts, unselfishness, and dedication have proven to me your sincere motives and extreme integrity. I consider it a privilege to be able to call you a friend. You will succeed, or maybe I should say you will continue to be successful, because of your attributes I have mentioned above...*

Five years later, 2006, Dennis wrote:

*John, You amaze me in what you have accomplished for us all.*



# World Conservation Force Bulletin

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*The leaders in their fields.*

Then the real crusher came the day after his death:

*You are going to find out that I left on Saturday. I of course wanted you to be one of the first people to know, and wanted to make some brief comments to you. We go way back, so wow, where can I start with a person like you? You have been one of the greatest influences in the hunting industry of any person*

*who has ever lived. That wonderful Chrissie has just stood there right by your side, and if God ever put two people together, He sure did you two! Without her support, you could never have accomplished what you have to date.*

*To say I have extreme respect for you is just an understatement. I have always felt a special connection to you in that*

*regard. You have shown respect for me, and you seem to realize that I actually "get it" when it comes to all you have done. Again, your influence has been totally immeasurable. All I can say is keep it up, and I know you will..*

I repeat that his words reflect, like a mirror, more about Dennis than about Chrissie and me. What a great man and friend - and conservationist. ■

## New Motions in Suits Challenging the Positive 2017 Elephant and Lion Enhancement Findings

**M**ore animal extremists have joined the suits to set aside the Zimbabwe lion and elephant enhancement findings, and all have filed motions for summary judgments citing the SCI/NRA case as the legal precedent for their motions that a full APA "rulemaking" is necessary for an enhancement finding (positive or negative).

As we wrote a few months ago, in November 2017, two sets of animal extremist plaintiffs filed separate lawsuits to invalidate the FWS enhancement findings authorizing lion and elephant trophy imports from Zimbabwe that were made in October and November 2017, respectively.

As we wrote last month, on December 22, 2017, the U.S. Court of Appeals for the District of Columbia Circuit issued an opinion in SCI and NRA's challenge to the 2014 and 2015 FWS suspension of elephant trophy imports from Zimbabwe. The Circuit Court held that the 2014 and 2015 enhancement findings were invalid because they did not follow the rulemaking procedures of the Administrative Procedure Act (APA). Under the APA, an agency must prepare and publish notice of a proposed rulemaking, give the public an opportunity to comment, and address the comments in a final, published rule. (The process normally takes nine months to over a year, depending on the agency's workload and the volume of comments received.) Both SCI/NRA and the intervening animal extremists argued in favor of the full rule making requirement and both claimed victory. The appellate court sent the case back to the district court, which will direct the FWS to initiate a rulemaking procedure if the FWS wishes to reimpose the trophy import suspension for 2014 and 2015.

In the new cases, the extremists want that decision to be applied to other enhancement findings.

The animal extremist plaintiffs are now seeking to incorporate the holding from the D.C. Circuit into their lawsuits, to further challenge the positive 2017 findings under the APA.

In the first suit, the Center for Biological Diversity (CBD) and Natural Resources Defense Council (NRDC) sued the FWS and the FWS Director and the Department of Interior and Secretary of Interior to challenge the positive findings for both elephant and lion trophy imports. The complaint alleges mismanagement and corruption in Zimbabwe and alleges that the enhancement findings were arbitrary and capricious, in violation of the APA. It initially requested that the enhancement findings be declared void on these grounds, and that the court declare it would be illegal to issue any permits pursuant to the positive findings. These claims were of little concern, but new claims have been added.

On January 19, 2018, CBD and NRDC amended their complaint. They added four new plaintiffs—Humane Society International, The Humane Society of the United States, Born Free USA, and an individual, Ian Michler of the anti-canned hunting documentary "Blood Lions." The amended complaint also added two new claims. These claims allege that the FWS failed to follow proper rulemaking procedures under the APA and should have published the positive 2017 elephant and lion enhancement findings for public comment before finalizing them. The complaint cites the D.C. Circuit's decision in the SCI/NRA case.

On February 6, the CBD-NRDC plaintiffs moved for partial summary

judgment (i.e., a final ruling) on the two new claims. They argue that the 2017 elephant and lion enhancement findings were "rulemakings" because they are generally applicable and forward-looking. They argue the findings are generally applicable because they apply to every hunter who files an import permit application for an elephant or lion trophy with the FWS. For each applicant, the enhancement findings satisfy the enhancement requirement. Therefore, the findings are not case-by-case adjudications, but are general rule pronouncements.

The plaintiffs argue that the findings have future effect (even though they are in part "backdated" to apply from January 2016 through December 2018) because the findings constrain the FWS' decision on the enhancement factor of a permit application. The findings are "pronouncements of how FWS will address all the trophy import permit applications it receives," because it will check off "enhancement" as being satisfied. The plaintiffs argue that they are injured from the FWS' failure to propose and publish the lion and elephant enhancement findings and accept public comments because there was a chance that the FWS would have changed its position after receiving public comments. The plaintiffs point to the 2014-2015 suspension of elephant trophy imports from Zimbabwe and statements made in the 2015 final rule listing the lion across Africa as evidence that they could have changed the FWS' mind.

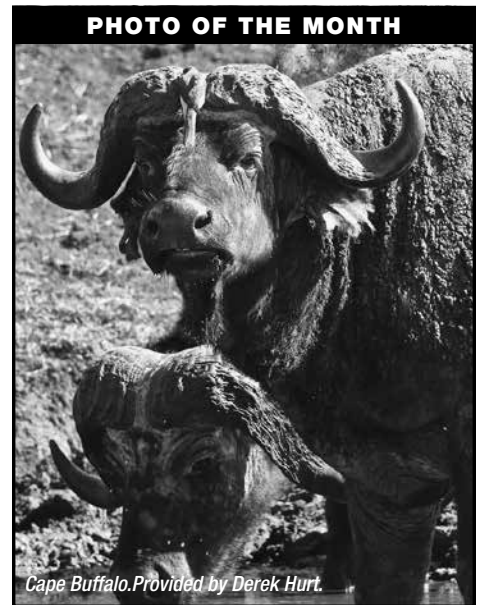
Similarly, in November 2017, Friends of Animals (FoA) and the Zimbabwe Conservation Task Force (ZCTF) sued Secretary Zinke and the FWS to enjoin application of the positive enhancement finding authorizing the

import of elephant hunting trophies from Zimbabwe. The FoA-ZCTF complaint focuses on elephants and does not challenge lion trophy imports. The plaintiffs initially alleged violations of the APA, but in mid-December they added a specific claim for failure to provide rule making notice and an opportunity to comment under the APA. On January 12, 2018, FoA and ZCTF filed a motion for partial summary judgment on the FWS' alleged failure to provide notice and the opportunity to comment. Like the CBD-NRDC plaintiffs, FoA and ZCTF argue that the positive 2017 enhancement finding authorizing elephant trophy imports should have been published in the Federal Register, and that the public should have been given an opportunity to comment before the positive finding was finalized. These plaintiffs also argue the FWS cannot stop publishing notice of elephant enhancement findings in the Federal Register without also going through an APA rulemaking process.

In each suit, the federal defendants (FWS/DOI) have moved for an extension of their time to oppose the plaintiffs' motions. The extension was granted in the FoA-ZCTF suit, and the extension motion is pending but is likely to be granted in the CBD-NRDC suit. (The

same judge is assigned to both cases, and it would not make sense to grant an extension in one case and not the other.) However, all proceedings are generally stayed in these cases pending the court's issuance of a mandate following the SCI-NRA case. Simply put, the appellate court directed the lower court to enter an order consistent with the appellate court's ruling. The lower court now needs to issue that order. It will ultimately determine how broadly or narrowly to construe the D.C. Circuit's decision. The FWS has requested permission to file a brief with the district court to explain its views on the breadth of the D.C. Circuit's decision. That motion is still pending, and it is unclear right now whether the district court will grant it.

What does all this legal posturing mean for hunters? Basically, it means that permitting is slowed way down. If the plaintiffs succeed, the 2017 enhancement findings allowing imports will be in the same position as the 2014 and 2015 elephant findings that suspended imports—the positive findings will be declared void for failure to follow the required procedure. In theory, that means the positive, 1997 enhancement finding will control. In theory, that means import permits



for elephant trophies from Zimbabwe should issue freely, but lion trophies would be on hold. However, whether the FWS will rely on that 1997 finding is unclear. It is more likely that if the plaintiffs succeed in having the 2017 findings declared void, the FWS will handle import permit applications for both elephant and lion on a case-by-case basis. It will slow down the process but keep it inching along.

By the time this article goes to print, Conservation Force and others will have moved to intervene in both cases to defend the 2017 enhancement findings and to challenge the plaintiffs' alleged claims. We have strong arguments to differentiate the 2014-2015 import suspension, which existed at a time when no import permit was required and came out of nowhere after 17 years, from the 2017 findings, which are based on extensive information provided by Conservation Force and Zimbabwe's wildlife authority, including extensive information provided in support of specific permit applications. We are optimistic the court will grant our motion, and the plaintiffs' claims will be dismissed. We will keep readers updated on developments in the litigation. ■

## Annual Reports Due for Breeding and Cull Permits

**T**his is a reminder that the deadline for filing Annual Reports for Captive Breeding and Take/Cull permits with FWS' Division of Management Authority (DMA) is March 31, 2018. This is a condition of renewal of the permits that appears on the face of the permits. Permittees should also remember to file renewal of the permits timely. Timely is when it can be proven to have been delivered/received at the DMA more than 30 days before the expiration date.

When the renewal form reaches DMA more than 30 days before expiration the permit (whether captive or cull/take) stays in effect until it is renewed. When it does not reach DMA 30 days in advance it can take a year or more for renewal, during which period the permitted activity is prohibited. When the renewal application is received more than 30 days in advance, it remains in effect no matter how long the DMA takes to process the renewal. Believe me, that is what you want. ■

## Conservation Force Sponsor

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