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**IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF UTAH, CENTRAL DIVISION**

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STATE OF UTAH, *et al.*,

Plaintiffs,

v.

DEB HAALAND, in her official capacity as  
the Secretary of the U.S. Department of the  
Interior *et al.*,

Defendants,

and,

SOUTHERN UTAH WILDERNESS  
ALLIANCE, *et al.*,

Proposed Defendant-Intervenors.

Case No. 2:24-cv-00438-DBB-DAO

Judge David Barlow  
Magistrate Judge Daphne Oberg

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**DECLARATION OF CHARLOTTE OVERBY**

I, Charlotte Overby, hereby declare as follows:

1. My name is Charlotte Overby, and I am over the age of eighteen and competent to testify. I submit this Declaration on behalf of the Conservation Lands Foundation (“CLF”) based on my personal knowledge and beliefs, and if called to testify I could competently testify regarding its contents.

2. I am a United States citizen, and I currently reside in Santa Fe, New Mexico, where I have lived since April 18, 2019. I am currently employed as the Vice President of Conservation Field Programs at CLF, where I have worked since September 6, 2011.

Conservation Lands Foundations is a non-profit organization exempt from taxation under 26

U.S.C. § 501(c)(3), incorporated under the laws of Delaware, and headquartered in Durango, Colorado. CLF's main office is located at 835 E. 2nd Ave. #314, Durango, CO 81301, and CLF maintains regional offices in the District of Columbia and five states.

3. As the VP of Conservation Field Programs, I am a key member of the CLF leadership team and lead the 7-member team of CLF field staff. I oversee, manage, lead, and support the field staff to develop diverse and effective coalitions, strengthen grassroots voices and empower partners to work at the local level to achieve CLF's mission. As the VP of Conservation Field Program, I provide strategic direction and oversight for field activity that capitalizes on emerging conservation opportunities, enhances field team participation and leadership in campaigns, and results in carrying out successful local, state, and federal campaigns, including Bureau of Land Management (BLM) planning. In addition, I work with CLF staff to determine the best investments (through direct support such as grants, training and mentoring, networking opportunities, and contracts) for the capacity, effectiveness and resilience of Friends Grassroots Network groups and other partners as necessary.

4. In addition, I have both personal and professional interests in the BLM's sound management and conservation of public lands, including BLM-managed public lands in my home state of New Mexico as well as Colorado and other states where I enjoy recreating in my free time.

**Personal Interests in Management of Federal Public Lands**

5. My personal interest in the proper management of BLM public lands began two decades ago – around May 2003 – and continues to the present. I have made many trips, expeditions, and visits to explore, recreate, hike, camp, and be with nature on BLM lands around

the American west; and these expeditions are essential to my physical, psychological, and spiritual health, and I also value the benefits these lands bring to all people and communities.

6. On May 5, 2005, I moved to Ventura County, CA, and lived adjacent to the California Coastal National Monument. The Monument stretches along 1,100 miles of the California coastline and protects more than 20,000 small islands, rocks, and reefs. Access to these protected public lands varies depending on location, and I accessed it by local hiking trails, beaches, and by surfboard. Paddling on a surfboard, in particular, allowed me to watch wildlife—something I have enjoyed my whole life—and observe seabirds, such as pelicans and cormorants, and marine mammals, such as dolphins, seals and sea lions. I encountered places on foot and by water that serve as breeding grounds, foraging areas, and resting spots for many other species. I visited areas of the monument three to four times per month to watch wildlife, as well as to recreate with my family, exercise, and find solitude. I appreciated the open public access, and it was important to me to get away from the freeways and traffic that dominate most of the coastal cities, to find natural beauty and do that close by to where I lived. Living near and regularly visiting the California Coastal National Monument increased my understanding and appreciation that the BLM manages more public lands than any other agency in the U.S., and that effective management and protection of these lands is vital for my well-being, as well as for sustaining biodiversity and for providing essential ecosystem services, such as clean air and water, prevention of erosion, and buffers to the effects of wildfires.

7. Between 2005-08, I visited many other BLM-managed lands in other parts of California, including different parts of the coastal monument, Santa Rosa and San Jacinto Mountains National Monument, and the Pacific Crest National Scenic Trail. While visiting friends in Palm Springs in Spring, 2006, I hiked at Santa Rosa and San Jacinto National

Monument, for example, with the hope of seeing bighorn sheep—and it turned out to be one of my first sightings of a lamb and ewe in the wild. A few years later in 2014 for my work at CLF, I facilitated a \$35,000 stewardship project with the Palm Desert BLM Field Office, a Friends Grassroots Network organization called Friends of the Desert Mountains, and a Veterans Conservation Corps to reroute a monument trail to allow increased opportunities for observing bighorn sheep, while maintaining foot traffic at a more appropriate distance from the bighorns' sensitive lambing grounds.

8. I also have extensive experience in the King Range National Conservation Area in northern California—where I first backpacked the Lost Coast Trail in July, 2003, one of the few coastal hiking trails managed by the BLM. The experience of hiking the Lost Creek Trail was exceptional, and I engaged in hiking, camping, photography, birding, and nature and wildlife observation during this trip. The opportunity to recreate along BLM's Lost Coast Trail brings both joy and meaning to my life. I have applied for permits to again hike the Lost Trail on three occasions and, in 2022,, I was successful in drawing a backcountry permit. I intend to apply to hike the Lost Creek Trail again in 2026, and I am eagerly awaiting the opportunity to again lose myself in BLM's Lost Creek Trail.

9. In September 2007, I moved to Reno, Nevada, and I made scores of trips to BLM-managed public lands in northern Nevada. One trip was particularly memorable: in May, 2008, I traveled to BLM's Black Rock Desert - High Rock Canyon Emigrant Trails National Conservation Area, and I brought along two friends from Norway. They had heard of the Black Rock Desert - High Rock Canyon Emigrant Trails National Conservation Area due to the Burning Man festival, and were curious to explore and experience the Black Rock Desert. During this trip, we drove a designated route on the playa, then hiked through a dry wash and

explored the unusual patterns left in the sand and soils by recent rain and rivulets. We also stayed for the sunset, lounging and feeling the air temperatures cool dramatically. We also visited the town of Gerlach—where the NCA and festival significantly support the local economy.

10. During this visit and others throughout Nevada, I experienced how sustainable land management practices can create economic opportunity for tourism and outdoor recreation, such as near the Black Rock Desert, and can generate revenue, create jobs, and support small businesses in rural areas while attempting to minimize environmental degradation. In short, by prioritizing conservation and balanced land use practices, BLM can safeguard the environment and also lend to the socio-economic stability of communities reliant on these lands for their livelihoods.

11. Between September 6, 2011 and April 17, 2019, I lived in Durango, Colorado and I again visited scores of BLM-managed National Conservation Lands, including at least four trips to the Dolores River between Slick Rock and Bedrock, bi-monthly visits to Canyons of the Ancients National Monument, and annual trips to Gunnison Gorge National Conservation Area, McInnis Canyons National Conservation Area and others. I was drawn to visiting these places on my personal time and with family and friends because they are located on Colorado's western slope, a less populated part of the state compared to the front range, and have a distinctly rural flavor to them. These BLM lands are truly beautiful, mostly unfragmented, and primarily are near small towns. They are also sometimes next to places with current or past oil and gas development and stand in stark contrast to those regions. BLM lands designated for conservation have wildlife, trails and unspoiled places for recreation like camping, mountain biking and rafting—activities that I participated in. My work at this time with CLF also engaged me in

professional advocacy for improved management plans, legislation to create an NCA, and supporting public and community education for many of these same areas.

12. I have also extensively explored the Bears Ears region in southeastern Utah, both before and after it was designated a National Monument. Through my work at CLF, I was involved in the campaign for its designation. For example, I provided logistical support for and participated in coalition and public meetings. I also supported the Friends Grassroots Network organization Utah Diné Bikéyah's Bears Ears Summer Gathering for tribal members in July 2016 and again, July 20-21, 2019. After designation, I also took two CLF donors on a camping trip in the monument. Bears Ears is of utmost importance to me because it is the ancestral homelands of so many Indigenous people and is considered essential to many Tribes' thriving cultures.

13. More recently, I drove the "golden triangle" area of south and southwestern Wyoming June 28-July 2, 2020, and visited Areas of Critical Environmental Concern and Wilderness Study Areas within Wyoming's Red Desert, a vast and ecologically diverse landscape known for its unique geological formations, expansive desert plains, cultural sites and incredible wildlife. I camped with a small group made up of a local guide, two staff with a Lander-based conservation non-profit partner, and CLF staff and board members near the Honeycomb Buttes, which are a series of sandstone formations that provide important habitat for wildlife and are loved for their colorful and unusual scenic beauty. The local guide on this trip was an expert on native plants and had us taste three edible species that are used as food and medicine by Northern Shoshone people. During this visit, I marveled at the geological beauty, and particularly enjoyed viewing natural flora and fauna, being enveloped by the profound quietness and solitude of the landscape. As described *infra*, in my capacity at CLF, I am working

on a Resource Management Plan process with other locals with a shared goal of achieving greater protections for diverse and incredible landscapes in the Rock Springs BLM planning area.

14. Aug. 5-11, 2021, I was lucky enough to enjoy another memorable trip on BLM-managed public lands when I joined two other families and rafted 84 miles on the Desolation Gray-Green River in northeast Utah. I had tried unsuccessfully for several years to secure a permit to float this area, and I was thrilled when I finally had a chance to raft this area. It was an extraordinary trip where we slept outside on the river banks, paddled through unbelievable desert river geology, day-hiked to see native American cultural sites, and swam in nearby tributaries. We also saw a black bear cub sitting calmly under some willows. This trip also took place during a time when wildfires nearby were making the skies sooty and diminishing the air quality—bringing home an understanding of how fragile and vulnerable desert environments are to drought and fire, impacts of climate change and human carelessness. In spite of the smoky skies, I think of this multi-generational trip as one of the most memorable and important experiences on BLM lands I've ever had.

15. Most recently, for the past several years my recreational pursuits have regularly focused on visiting BLM-managed public lands around the Caja del Rio plateau, located near my home in Santa Fe, New Mexico. During these past trips, I have hiked the plateaued highlands, and paddled the Rio Grande, and I brought travelers and friends to observe and marvel at the Puebloan petroglyphs and Diablo Canyon. The most recent trip was July 7, 2024, when I took 11 members of a “meet-up” hiking group to see the BLM-managed La Cieneguilla Petroglyph site. In addition, I have also repeatedly volunteered with local community members to clean up a

large illegal dumpsite, including by bagging and removing thousands of pounds of refuse, including old tires, mattresses, furniture, and piles and piles of trash.

**CLF's Interests in Management of Federal Public Lands**

16. CLF is a nonprofit organization that promotes environmental stewardship by advocating for the National Landscape Conservation System (also called the National Conservation Lands) to preserve open space, cultural sites and wilderness. The National Conservation Lands was established by the Department of Interior in 2000 and formally protected by Congress through the National Landscape Conservation System Act of 2009. It encompasses approximately 35 million acres of national monuments, National Conservation Areas, Wilderness and Wilderness Study Areas, 2,400 miles of Wild and Scenic Rivers, National Scenic and Historic Trails, and other special designations. CLF is the only nonprofit specifically dedicated to establishing and safeguarding the National Conservation Lands.

17. To fulfill this purpose, CLF partners with other nonprofits and local grassroots organizations to protect, restore, and expand the National Conservation Lands through education, stewardship, and advocacy at local, state, and national levels. CLF invests a substantial amount of money in supporting land conservation, including through national monument designation. In 2022 alone, CLF approved 94 grants and dedicated over \$1.97 million in program expenses to campaigns focused on preserving and expanding national conservation lands. In 2023, CLF similarly approved 86 grants totaling \$1.952 million.

18. Critical to CLF's success and its mission is CLF's Friends Grassroots Network. One of CLF's founding principles and modes of operation is establishing, coordinating with, and supporting local nonprofit organizations dedicated to the protection of specific landscapes either through a National Conservation Lands designation or, for landscapes already protected within



the system, through the continued conservation and restoration of those landscapes. CLF's founding organizational vision was to combine the power of local grassroots engagement, through the creation of its Friends Grassroots Network, with a sophisticated national strategy wherein dedicated staff and resources educate Congress, the Executive Branch, and the public about the National Conservation Lands and the resources it protects.

19. Since its inception, CLF has grown its Friends Grassroots Network to over 80 organizations ("Friends Organizations") located in 11 states, dedicated to the preservation of specific landscapes or regions. Friends organizations rely on CLF's financial and organizational support to conduct a wide range of conservation-related activities on the ground, including clean-up projects, trail maintenance and rebuilding, riverbank and stream restoration, removal of invasive species, closure of illegal roads, water quality monitoring, enhancement of wildlife habitat, and improvement of recreational access. In 2023, 36 of CLF's 86 grantees identified restoration, stewardship and resources management planning as activities they engaged in. CLF and Friends Organizations also cooperate in public advocacy and education efforts to promote the conservation of public lands.

20. To support its Friends Organizations, CLF staff provides resources such as campaign leadership, coaching and mentoring, financial and technical support for capacity building, communications training, and direct grants. CLF provides training for leaders of Friends Organizations and facilitates interaction between the organizations. CLF also provides individual groups with technical advice, mentoring, tools and training to ensure successful on-the-ground projects, as well as effective advocacy and community education. CLF's resources and expertise in government relations, BLM policy, advocacy, communications, and outreach

provide local advocates with insights into developments affecting the National Conservation Lands and the tools needed to influence those developments powerfully and persuasively.

21. In addition, CLF field staff work with local Friends Group Network groups to participate in planning from scoping through a final Record of Decision, and often, these planning processes take years to finalize. As part of these planning processes, CLF submits technical comments, engages local elected officials and thought leaders, hires scientists to help with ecological analysis, meets with journalists and local media outlets to discuss the important resources and values in the planning area, works with local BLM staff during the process and informs CLF supporters and partners about the planning process. As part of these planning processes CLF works on protecting and expanding Areas of Critical Environmental Concern (ACEC) through planning, in many cases in partnership with nonprofits that are part of CLF's Friends Grassroots Network.

22. An example of CLF's engagement in BLM planning is CLF's work to protect public lands in the Western Arctic or the National Petroleum Reserve Alaska. CLF first provided comments on the 2013 Integrated Activity Plan and subsequent planning for the Greater Mooses Tooth 1, Greater Mooses Tooth 2, the Willow Master Development plan, and the recent National Petroleum Reserve in Alaska Rule. CLF launched a website aimed at highlighting the values of the Western Arctic and focused several public engagement campaigns on efforts to protect the Western Arctic through planning. CLF staff and leadership made over a dozen trips to Alaska during the multiple planning processes and even participated in litigation to defend the Integrated Activity Plan. CLF provided grants to local groups including Native Movement and others to build support and leadership within the local community to protect the Western Arctic. In total CLF has provided 16 grants to five Alaska-based organizations, totaling \$235,000.

23. A second example of CLF's work on BLM Resource Management planning is the Desert Renewable & Energy Conservation Plan (DRECP) in southern California. In 2009, the BLM began work on the DRECP which covered 22 million acres in the California Desert. The process took 8 years to finalize. CLF worked with Friends Groups in the California desert, submitted substantive comments on the plan, and ran an editorial board tour for local and regional news outlets. CLF advocated for extensive protections for important resources and lands within the planning effort to mitigate for planned renewable energy development. CLF staff made multiple trips to California during the planning process. CLF worked to defend the plan from attacks and revisions during the Trump Administration and has worked to implement the DRECP since its release.

24. A third example of CLF's work on BLM Management planning concerns the Rock Springs Resource Management Plan in the Red Desert, Wyoming. CLF has engaged in the Rock Springs planning effort by supporting ACEC nominations and submitting coalition comments in support of the alternative with the most protective management prescriptions. CLF facilitated a fly-in with five Indigenous leaders to Washington, D.C. in May of 2022 to meet with BLM and Department of Interior officials and speak about Indigenous-led conservation efforts, including those in the Rock Springs planning area, such as co-stewardship proposals for ACECs within the Red Desert. Since 2019, CLF has provided grants totaling over \$250,000 to local partners and a coalition working on the Rock Springs Resource Management Plan, including: donations to local ally and partner Wyoming Outdoor Council for field trips, community educational events, general support, and to engage in the RMP; grants to the Wyoming Wilderness Association to conduct community education events, field trips, and engage in the RMP process; and other financial support to assist local coalition partners in advancing

communications and media outreach efforts about the resource management plan. Other CLF staff and board members and I made four trips to the Red Desert in Wyoming between 2019-2022 to meet with local advocates and historic, cultural, and wildlife resources experts.

25. In addition to the above examples, in 2023, CLF revised and submitted an ACEC designation in Otero Mesa, part of New Mexico's Tri-County planning area; worked to protect the Colorado River watershed in the Grand Junction River plan; worked to stop oil and gas development on BLM lands around Chaco Culture National Park; worked to protect old growth habitat in the Northern California Integrated Plan; and submitted comments in opposition to a proposed transmission line through the Caja del Rio region in New Mexico.

#### **CLF's Interests in the Public Lands Rule**

26. CLF staff has been working to promote and strengthen BLM's management of National Conservation Lands and BLM-managed lands since the organization was founded in 2007. And CLF has supported and worked to strengthen the Public Lands Rule since the process began in 2021.

27. Once BLM published the draft Public Lands Rule, CLF engaged resources and staff to educate the public about the Public Lands Rule. Working with coalition partners and allies, CLF created a website – [www.actnowforpubliclands.org](http://www.actnowforpubliclands.org) – designed to provide background information on the rule, and encourage supporters and partners to participate in the official comment period for the public lands rule. CLF drafted factsheets, background materials, and talking points on multiple topics related to the rule, and CLF prepared a communications toolkit specifically for the Friends Grassroots Network. CLF also worked with individuals to draft and submit Op-Eds in support of the rule.

28. In addition, CLF has worked to educate, inform and improve the proposed Public Lands Rule beginning almost immediately after publication. For example, CLF repeatedly met with the business community, local elected leaders and officials, editorial boards and reporters, and CLF staff met with, traveled, and briefed multiple stakeholders on the contents and opportunities in the draft rule, and how the rule may impact future decision-making within the BLM. CLF briefed Members of Congress, local elected officials, conservation organizations, scientists, attorneys, the outdoor business community, and the Friends Grassroots Network. CLF staff met with journalists, editorial boards, opinion leaders, partners, and others in person and virtually around the West.

30. During the comment period, at least one member of the CLF team and several members of the Friends Grassroots Network attended the in-person public meetings held by BLM, which took place in Denver, CO, Reno, NV, and Albuquerque, NM. I attended the meeting in Albuquerque, May 30, 2023. CLF also vigorously defended the rule from attacks in Congress, including opposing legislation designed to knee-cap the rule. CLF dedicated staff and resources to these efforts, and CLF attended the legislative hearings, opposed appropriation measures designed to undermine the rule, and submitted letters to Congress in opposition.

31. CLF prepared and submitted detailed technical comments on the proposed rule, some of which made their way into the final rule, and others which BLM did not adopt. Ultimately, over 200,000 comments were submitted, with over 90 percent of them supporting the draft public lands rule and increased conservation across BLM lands.

32. BLM announced the Final Public Lands Rule on April 24, 2024, and CLF has wasted no time assessing the opportunities the Public Lands Rule provides for improving public lands management across BLM-managed lands, and provided detailed analysis and overviews to

the Friends Grassroots Network, most recently on July 9, 2024. In addition, CLF developed educational resources explaining the final Public Land Rule's complexities into easily understandable components and distributed these materials to the Friends Group Network and other collaborating partners.

33. CLF also organized and led state-based discussions with members of the Friends Group Network and other partner groups. A coalition meeting was held in Arizona June 18, 2024, and future meetings are currently being arranged in California, New Mexico and Nevada. These gatherings aim to provide an overview of the final rule, assess the state of public lands management in the respective states, and facilitate discussions on implementation. CLF is also scheduling follow-up meetings to review progress on implementation.

33. CLF intends to rely on the authorities and opportunities created under the Federal Lands Policy and Management Act, 43 U.S.C. § 1701 *et seq.* ("FLPMA"), as affirmed and articulated under the Public Lands Rule, to advocate for increased protections for national conservation lands and BLM-managed lands across the American west. For example, CLF is working with the Friends Group Network and partner groups to identify environmentally vulnerable areas for nomination under ACEC designation and interim management for enhanced protection. In early 2024, CLF and local partners submitted an ACEC nomination in the Otero Mesa region of New Mexico. Following the release of the final rule, the same coalition asked the BLM to protect the values identified in that area through interim protections, based on provisions in the Public Lands Rule.

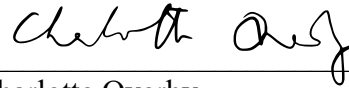
34. In addition, CLF is working closely with its Friends Grassroots Network and individual Friends groups to identify important cultural and ecological landscapes lacking adequate protections for important and significant resource values, and working with these allies

to use authorities under FLPMA and the Public Lands Rule to advocate for increased interim protections for these areas. For example, CLF is identifying new RMP planning efforts to begin implementing various aspects of the rule, including researching, writing and nominating new ACECs in upcoming planning for the Uncomphagre Resource Management Plan in central Colorado.

35. The litigation challenging the Public Land Rule seeks to enjoin, vacate and remand the Public Lands Rule, which would harm my and CLF's interests in appropriate management of BLM's public lands.

I declare under penalty of perjury that the foregoing declaration is true and correct to the best of my knowledge, information, and belief.

Dated this 24<sup>th</sup> of July, 2024



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Charlotte Overby  
Vice President of Conservation Field Programs  
Conservation Lands Foundation