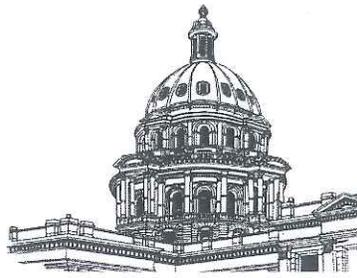


Sen. Bill Cadman, *Chair*  
Ms. Effie Ameen  
Ms. Nan Anderson  
Ms. Georgianna Contiguglia  
Ms. Marilyn Eddins  
Mr. David Halaas



Rep. Dominick Moreno, *Vice-Chair*  
Ms. Aly Jabrocki  
Mr. Richard Lee  
Mr. Frank McNulty  
Mr. Kurt Morrison  
Mr. Steve Turner

### Capitol Building Advisory Committee

State Capitol Building, Room 029  
Denver, Colorado 80203-1784  
(303) 866-3521

September 1, 2016

Senator Randy Baumgardner  
Capital Development Committee  
State Capitol Building  
Denver, Colorado 80203

Dear Senator Baumgardner:

On August 19, 2016, the Capitol Building Advisory Committee (advisory committee) approved a proposal for the permanent gift of a memorial for placement on the Capitol grounds. The memorial commemorates the Sand Creek Massacre and will be placed in Lincoln Park (the area bounded by Lincoln Street, Broadway, 14<sup>th</sup> Avenue, and Colfax Avenue), in a location yet to be determined. This proposal is being forwarded to the Capital Development Committee for approval pursuant to Section 24-82-108 (3)(h)(I)(B), C.R.S.

The proposed memorial has four components – a plaque, a path, a teepee with bronze poles and a concrete base, and a bronze sculpture of a Cheyenne or Arapaho woman. The four elements were chosen by representatives of the Northern Cheyenne Tribe of Montana, the Northern Arapaho Tribe of Wyoming, and the Southern Cheyenne and Arapaho tribe of Oklahoma. The memorial will be created by Cheyenne and Arapaho artist Harvey Pratt. The donation is funded by the One Earth Future Foundation.

In addition to working with the donors to secure a final location for the memorial, the advisory committee has requested to review its final design in that location.

The approved application for a permanent gift of a memorial and supporting materials are attached to this letter. Note that the location and some elements of the memorial have been modified since the application was submitted. In addition to approval from the Capital Development Committee, final acceptance of this gift requires approval from the Governor and a Joint Resolution of the General Assembly.

On behalf of the Capitol Building Advisory Committee, thank you for your consideration.

Sincerely,

Senator Bill Cadman  
Chair, Capitol Building Advisory Committee

**ATTACHMENT A**  
**APPLICATION FOR A PERMANENT GIFT OR LOAN OF AN OBJECT OF ART OR A MEMORIAL IN THE STATE**  
**CAPITOL OR ON THE GROUNDS OF THE STATE CAPITOL**  
(please print)

Date 05/25/2016

1. Individual and/or organization sponsor(s) Jon Bellish on behalf of The One Earth Future Foundation & the Arsenault Family Foundation

Address(es) 525 Zang Street, Unit C Broomfield, CO 80027 | jbellish@oneearthfuture.org

Telephone Numbers: Daytime 303 533 1715 Evening 720 626 0525

2. What is the status of this item?

Permanent gift of donated art

A loan of loaned art

3. Proposed Dates for the display: 11/1/2017, on display indefinitely

4. Proposed Location of the display: North Western portion of the Colorado Capitol grounds, See Appendix A

Please note that no displays are permitted in the Capitol rotunda.

5. Purpose of the display: To memorialize the victims of the Sand Creek Massacre of November 29, 1864

6. Description of the display and space required (photographs may be provided to supplement the written description; use additional pages as necessary): The display will be a bronze sculpture, commissioned by the donors, created by Cheyenne and Arapaho bronze sculptor Harvey Pratt of Oklahoma, and designed in collaboration with Tribal Representatives of the Northern Cheyenne, Northern Arapaho, and Southern Cheyenne and Arapaho Tribes.

7. Name, address and telephone number of individual(s) in charge of display (if different from #1 above):

N/A

8. Attach an explanation of how the proposal meets the evaluation criteria used by the Advisory Committee.

(see Appendix B)

9. If the object is a loaned object of art, how will the object of art be insured throughout the period of time that the object is in the custody of the state?

n/a Lender will maintain its own insurance coverage and provide state with a certificate of insurance naming the state as an additional insured or waive rights to subrogation against the state

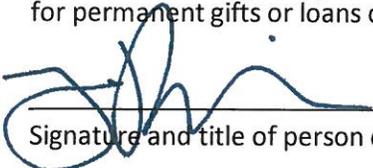
n/a Lender requests state to insure the object of art and will provide description of object of art and its value

n/a Lender will elect not to maintain or obtain insurance of the object of art and will agree to release the state from any liability in connection with the loaned object of art



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In addition to completing this application, I have read and will comply with the Criteria and Procedures for permanent gifts or loans of art of the State Capitol Building Advisory Committee.



Associate Director for New Programs, OEF

Signature and title of person completing the application

Return completed application to: State Capitol Building Advisory Committee  
Room 029, State Capitol Building  
Denver, CO 80203-1784  
(303) 866-3521  
(303) 866-3855 (FAX)

Approval

Capitol Building Advisory Committee: \_\_\_\_\_

Signature

Date

Capital Development Committee: \_\_\_\_\_

Signature

Date

Governor's Office (when applicable) \_\_\_\_\_

Signature

Date

**APPLICATION FOR A PERMANENT GIFT OF AN OBJECT OF ART OR A  
MEMORIAL ON THE GROUNDS OF THE STATE CAPITOL  
One Earth Future Foundation**

**Application Appendices:**

- A. PROPOSED LOCATION**
- B. EVALUATION CRITERIA**
- C. ADVISORY COMMITTEE CONSIDERATIONS**
- D. FULL BUDGET**
- E. STATEMENT OF DONATION: Marcel Arsenault, Founder, One Earth Future Foundation, and co-founder of the Arsenault Family Foundation**
- F. LETTER OF SUPPORT: Alexa Roberts, Superintendent, National Parks Service Sand Creek Massacre National Historic Site, United States Department of Interior**
- G. LETTER OF SUPPORT: Chancellor Rebecca Chopp, University of Denver**

**APPLICATION FOR A PERMANENT GIFT OF AN OBJECT OF ART OR A  
MEMORIAL ON THE GROUNDS OF THE STATE CAPITOL  
One Earth Future Foundation**

**APPENDIX A: PROPOSED LOCATION**



# **APPLICATION FOR A PERMANENT GIFT OF AN OBJECT OF ART OR A MEMORIAL ON THE GROUNDS OF THE STATE CAPITOL One Earth Future Foundation**

## **APPENDIX B: EVALUATION CRITERIA**

### **The association of the proposal with events that have made a significant contribution to the history of Colorado**

The Sand Creek Massacre was a truly significant chapter in the history of Colorado, and in the history of the western United States. The massacre was not only perpetrated on Colorado territory with the involvement of its territorial governor, but it also had extremely important repercussions for tribal-settler relations in Colorado for years to come. The Sand Creek Massacre's historical significance can be seen in the passage of Senate Joint Resolution 14-030, the creation of the governor's Sand Creek Massacre Commemoration Commission in 2014, and the establishment of the Sand Creek Massacre National Historic Site in Eads, Colorado.

### **The connection of the proposal with persons significant in the heritage of Colorado**

Just as the massacre itself is a significant part of Colorado's history it is connected with many individuals of historic significance to the state. Of particular significance to the Sand Creek Massacre are men like the antagonist John Chivington, those like John Evans, whose role was more ambiguous, and those like Silas Soule and Joseph Cramer, whose roles were unequivocally positive. Additionally, the Cheyenne and Arapaho chiefs involved with the Treaty of Fort Wise and the massacre itself include notable figures like Black Kettle, White Antelope, and Left Hand, also known as Chief Niwot, among others. All of these figures are of great historical significance to Colorado.

### **The extent to which the proposal embodies the essential natural beauty of the State or of the industry and lifeways of the people who have inhabited the State**

The proposal is explicitly meant to embody, and thereby acknowledge, the lifeways of the Cheyenne and Arapaho people, who inhabited the state until the late 1860s. In a way, it is also meant to invite visitors and viewers to consider the full implications of the "industry and lifeways" of the European settlers in Colorado. As recent events around the Sand Creek Massacre in Colorado and those around the Confederate flag at other state capitols suggest, the public is finding increasing value in acknowledging the complexities of the past.

### **The appropriateness of the object of art to the designated functional zones of the surrounding Capitol grounds, when applicable**

The existing public art at the Colorado Capitol suggests that the proposal is appropriate for public display on the capitol grounds, at least from a subject matter standpoint. There is already

# APPLICATION FOR A PERMANENT GIFT OF AN OBJECT OF ART OR A MEMORIAL ON THE GROUNDS OF THE STATE CAPITOL

## One Earth Future Foundation

a Civil War memorial with an explanatory plaque for Sand Creek. There is also a bronze sculpture depicting Ute Chief Ouray on the east side of the grounds. Additionally, there are a number of other memorials on the Colorado Capitol grounds, including an Armenian Khachkar, dedicated to the victims of the Armenian genocide, as well as memorials dedicated to Pearl Harbor and the USS Colorado Memorial, amongst others.

**Aesthetic considerations, to insure art of unusually high quality, appropriate in style, scale, material, form and content when viewed with other objects of art in the public areas of the Capitol, the Capitol exterior, or on its surrounding grounds**

The elements for the memorial were chosen by Tribal Representatives from the Northern Cheyenne Tribe of Montana, the Northern Arapaho Tribe of Wyoming, and the Southern Cheyenne and Arapaho tribe of Oklahoma. The memorial will be created by Cheyenne and Arapaho artist Harvey Pratt. Harvey has his work in the permanent collections of the National Park Service and the Smithsonian Institution and was twice appointed by Oklahoma's governor to the Oklahoma Arts Council.

The memorial has four components centered around two themes: depicting the massacre as it was and connecting the past to the present.



**APPLICATION FOR A PERMANENT GIFT OF AN OBJECT OF ART OR A  
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One Earth Future Foundation**

**Plaque:** The plaque will be made of stone and bronze. The side of the plaque facing the walkway will direct visitors to the memorial with the following text:

*A Chiefs' Village*

*At daybreak, November 29, 1864, Colorado US Volunteers attacked a Cheyenne and Arapaho village at Sand Creek in southeastern Colorado Territory that had been guaranteed safety and protection by the US Army. Cheyenne chief Black Kettle flew an American flag and a white flag of truce over his lodge—yet the 675 troops, supported by four howitzers, swept the village killing 230 Cheyenne and Arapaho—mostly women, children, babies, and the elderly—and wounding another 200. But for the courageous action of two veteran battalion company commanders, Capt. Silas S. Soule and Lt. Joseph A. Cramer, who ordered their companies to stand down and not fire, the entire village of 750 would have been annihilated. Soldiers then mutilated the dead, carrying “trophies” to Denver to display them at a theater production. The Sand Creek Massacre opened full-scale war on the western plains. Thirty-three chiefs were present at Sand Creek; of these 18 were killed:*

<i>Chief Crow (Cheyenne)</i>	<i>White Antelope (Cheyenne)</i>
<i>Spotted Crow (Cheyenne)</i>	<i>Little Robe (Cheyenne)</i>
<i>Left Hand (Arapaho)</i>	<i>Sand Hill (Cheyenne)</i>
<i>Bosse (Arapaho)</i>	<i>Left Hand (Cheyenne)</i>
<i>Heap of Buffalo (Arapaho)</i>	<i>Two Thighs (Cheyenne)</i>
<i>Bear Man (Cheyenne)</i>	<i>Red Arm (Cheyenne)</i>
<i>Warbonnet (Cheyenne)</i>	<i>Tall Bull (Cheyenne)</i>
<i>Lone Bear, aka One Eye (Cheyenne)</i>	<i>Black Horse (Cheyenne)</i>
<i>Yellow Wolf (Cheyenne)</i>	<i>Cutlip Bear (Cheyenne)</i>
<i>Bear Tongue (Cheyenne)</i>	

*The Sand Creek National Historic Site is located in Kiowa County near Eads, CO.*

# APPLICATION FOR A PERMANENT GIFT OF AN OBJECT OF ART OR A MEMORIAL ON THE GROUNDS OF THE STATE CAPITOL

## One Earth Future Foundation

**Path:** The path represents the Big Sandy Creek. It will be done in concrete treated to look like sand and will contain the footprints of living Cheyenne and Arapaho descendants of the massacre. The footprints, some with moccasins and some with bare feet, will walk from the beginning of the path and past the woman.



**Teepee:** The teepee poles with the white and American flags are a well-recognized symbol of the Sand Creek Massacre. The flags were given to the Cheyenne and Arapaho people before they camped at the Big Sandy Creek as a symbol of their peaceful intentions and the protection of the U.S. and Colorado governments. Cast in bronze, the teepee will have an 8-10 foot diameter and be 12-14 feet tall. The base of the teepee will be made of concrete and also contain a medicine wheel laid out in stone. For many tribes – not just the Cheyenne and Arapaho tribes – the medicine wheel represents harmony and peaceful interaction among all living beings on Earth.

**Woman:** The unnamed Cheyenne or Arapaho woman will be a life-sized (~5 foot) depiction. She will be lying on the ground, reaching north (the direction the tribes retreated), with an empty cradleboard to represent mourning and loss. The woman represents a story told about the massacre. As the Cheyenne and Arapaho women and children fled north away from the attack, one woman was injured and fell. As she realized her fate, she called to those who were fleeing, asking them to “always remember” the victims.



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Above: Perspective from the front of the miniature model of the figure.

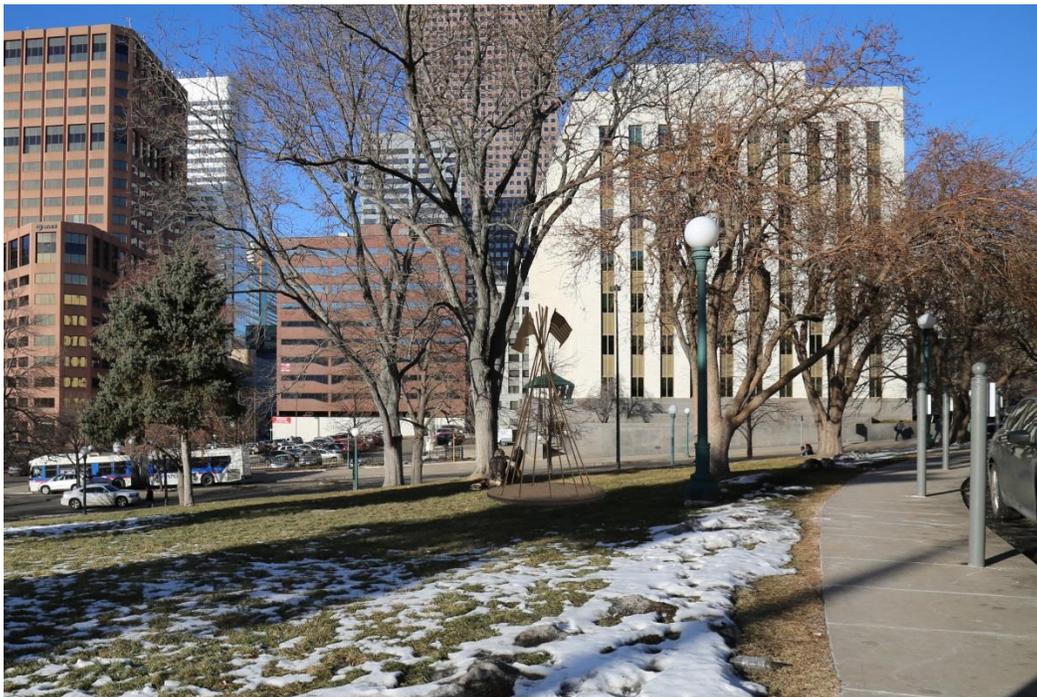


Above: Graphic rendering of the proposed memorial from Lincoln Street, near the corner of Colfax and Lincoln.

**APPLICATION FOR A PERMANENT GIFT OF AN OBJECT OF ART OR A  
MEMORIAL ON THE GROUNDS OF THE STATE CAPITOL  
One Earth Future Foundation**



Above: Graphic rendering of view from the path leading up to the civil war memorial.



Above: Graphic rendering of the view from the North Western sidewalk of the capitol.

# **APPLICATION FOR A PERMANENT GIFT OF AN OBJECT OF ART OR A MEMORIAL ON THE GROUNDS OF THE STATE CAPITOL One Earth Future Foundation**

## **APPENDIX C: ADVISORY COMMITTEE CONSIDERATIONS**

### **Recognition of the desire to preserve the historic nature of the Capitol and its surrounding grounds**

The proposal is explicitly meant to embody a significant chapter in Colorado's history. Current public art on the grounds suggests the memorial will have no effect on the historic nature of the Capitol and its surrounding grounds. For more information see Appendix B.

### **The appropriateness of the proposed location of the object to the building's interior or exterior functional areas**

The proposed location of the Sand Creek Massacre Memorial was selected by Tribal Representatives from the Northern Cheyenne Tribe of Montana, the Northern Arapaho Tribe of Wyoming, and the Southern Cheyenne and Arapaho tribe of Oklahoma. The proposed location is the end point to the annual Sand Creek Massacre Spiritual Healing Run. The Healing run is an event which occurs each November, during the commemoration of the massacre, and follows the path the Colorado US Volunteers took from the massacre site to the Colorado Capitol. For more information see Appendix B.

### **The permanence and durability of the object**

Since the installation will be in bronze and stone, the permanence and durability will be high, commensurate with other art on the Capitol Grounds. There will be little to no need for additional landscaping or maintenance as the memorial will be out in the grass.

### **The susceptibility to vandalism and the on-going cost of maintenance**

Since the installation will be in bronze and stone, the susceptibility to vandalism and the on-going cost of maintenance will be commensurate with other art on the Capitol Grounds.

### **The proponent's ability to provide sufficient funds to pay for installation, framing or base, illumination, or any other costs**

The full cost of the project, including all design-related activities, production, delivery, and associated events is \$194,200. The Arsenault Family Foundation has pledged \$97,100 plus an additional \$10,000 in matching funds. The One Earth Future Foundation has raised an additional \$54,250. We are currently engaging in a multi-pronged fundraising effort to raise the remaining \$32,650. However, in the event of these fundraising goals not being met, the Arsenault Family Foundation has pledged to provide any additional funding.

**APPLICATION FOR A PERMANENT GIFT OF AN OBJECT OF ART OR A  
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One Earth Future Foundation**

**APPENDIX D: FULL BUDGET**

<b>BUDGET</b>		
<b>Item</b>	<b>Notes</b>	<b>Cost</b>
Consultations with tribal reps (August, December, February)	Gauge interest; lay out roles and responsibilities; design of memorial and artist selection, etc.	\$3,015.52
December Fundraising Event	Commemoration of the Sand Creek Massacre 151 <sup>st</sup> and Fundraising event	\$5,217.24
Artist presentation	Costs for creating models (to be presented at fundraiser)	\$1,509.56
Miscellaneous costs	Costs for supplies, web content, advertisements, etc.	\$2,835.41
	Total used thus far:	12,577.73
Artists fee	Includes: installation consultation; design plans (drawings; budget; maintenance recommendations; narrative description); transportation & installation costs; materials, labor & expenses	\$150,000.00
Dedication	Organizing, promoting, event costs, tribal community travel when memorial is established	\$10,000.00
Explanatory plaque	Text written by David Halaas	\$2,000.00
August Meeting Consultation	Final Tribal Consultation with attendance at the CBAC meeting	\$7,000.00
Photos	Print & mailing costs	\$300.00
Additional Fundraising Events	Location usage fees; lectern; AV; food/drink; tribal rep travel (x4); artist travel (x1)	\$5,000.00
Contingency Budget	Additional memorial costs, additional consultation meetings	\$7,300.00
<b>TOTAL</b>		<b>\$194,200.00</b>

**APPLICATION FOR A PERMANENT GIFT OF AN OBJECT OF ART OR A  
MEMORIAL ON THE GROUNDS OF THE STATE CAPITOL  
One Earth Future Foundation**



## Appendix E: STATEMENT OF DONATION

May 25, 2016

Capitol Building Advisory Committee  
200 E Colfax Ave,  
Denver, CO 80203

Dear members of the Capitol Building Advisory Committee:

On behalf of the One Earth Future Foundation (a 501(c)3 organization) and the Arsenault Family Foundation (a 501(c)3 organization), as well as the communities of the Northern Arapaho Tribe, the Northern Cheyenne Tribe, and the Southern Cheyenne and Arapaho Tribes of Oklahoma, we would like to thank you for the opportunity of proposing the gift of a memorial to the Sand Creek Massacre on the Colorado State Capitol grounds.

I am pleased to announce that the One Earth Future Foundation (OEF) unconditionally gives, donates, bestows and transfers the proposed Sand Creek Massacre Memorial to the State of Colorado with the understanding that the object of art becomes the property of the state, that the donor gives up all legal interest in the object of art, and that the object of art may be moved or removed from its initial site placement. We guarantee that the memorial is original and does not infringe upon any copyright, is free and clear of any liens, and that its execution and fabrication will be performed by an artist in a professional manner.

Funding necessary for placement of the memorial is available, and we take full responsibility for installing the memorial on the grounds. Our 990 is available to confirm the funding required if requested.

Thank you for your consideration.

Sincerely,

Marcel Arsenault  
Founder,  
One Earth Future Foundation  
525 Zang St. Suite D,  
Broomfield, CO 80021

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ONE EARTH FUTURE FOUNDATION

525 Zang Street • Suite C • Broomfield, Colorado 80021 • USA  
+1.303.533.1715 • [info@oneearthfuture.org](mailto:info@oneearthfuture.org)



## United States Department of the Interior

NATIONAL PARK SERVICE  
Sand Creek Massacre National Historic Site  
P.O. Box 249  
Eads, CO 81036  
719/438-5916



May 17, 2016

Dina Klimkina  
Program Exploration Analyst  
One Earth Future  
525 Zang Street, Suite A  
Broomfield, CO 80021

Dear Ms. Klimkina:

Thank you for joining the National Park Service staff, tribal and state representatives, and other partners for a portion of the Long-Range Interpretive Planning workshop at the Sand Creek Massacre National Historic Site last week. It was good to have One Earth Future represented, especially as the discussion focused on memorialization, public interpretation, education, and partnerships. As was evident from the discussion, the goals of all of those involved in the memorialization and commemoration of the Sand Creek Massacre are very much alike.

In particular, One Earth Future and the National Park Service share a common intent to raise awareness of the Sand Creek Massacre, its historical and present impacts and its relevancy to issues around the world today. Memorialization is a significant avenue towards those goals. The proposed memorial at the Colorado State Capitol will be complimentary to the National Historic Site, which memorializes the Sand Creek Massacre through the preservation and interpretation of the landscape upon which the massacre took place. Further, we believe the proposed State Capitol memorial and the planned Sand Creek Massacre Research and Learning Center to be housed near the National Historic Site may also benefit one another through educational opportunities as well as providing an exhibit space and repository for archival and interpretive materials related to the State Capitol memorial.

We believe that a memorial at the State Capitol is particularly appropriate given the significance of the quest for statehood as a factor contributing to the Sand Creek Massacre, not to mention Governor Hickenlooper's apology for the massacre to the Cheyenne and Arapaho Tribes on behalf of the State of Colorado. Finally, a memorial at the State Capitol may further attest to the relationship between the State of Colorado and the Sand Creek Massacre National Historic Site which is codified in the legislation that authorized the National Historic Site and reflected in the collaboration among the State, the NPS and the Tribes in the development of a future Sand Creek Massacre exhibit at the Colorado History Center.

We appreciate the efforts of One Earth Foundation to bring additional awareness and recognition to the Sand Creek Massacre and will look forward to opportunities to collaborate in the future.

Sincerely,

Alexa Roberts, Ph.D.  
Superintendent



UNIVERSITY of  
DENVER

CHANCELLOR

May 20, 2016

Capitol Building Advisory Committee  
c/o Damion Pechota  
Capitol Building, Room 029  
200 E. Colfax Ave.  
Denver, CO 80203

Dear Esteemed Committee Members,

Less than two hundred years ago, what is now the campus of the University of Denver sustained both the Cheyenne and Arapaho nations. The Sand Creek Massacre, among the most brutally violent acts in the long struggle between Native American people and the immigrating settlers, involved the complicity of the Colorado Territorial government, the United States Cavalry and some of the community leaders who were crucial to the founding of the Colorado Seminary—the precursor to the University of Denver.

In recent years, the University of Denver has taken significant steps to acknowledge this difficult history and begun the process of forging new relationships with Native American communities, including Arapaho and Cheyenne people, both on and off campus.

An essential element of these activities includes support for a memorial commemorating the Sand Creek Massacre on the grounds of the State Capitol. As a reflection of our institutional goals, mission and aspirations as a university dedicated to the public good, we recognize the critical need to honor and remember all of Colorado's history, including its most tragic and distressing moments.

The State Capitol is not simply a place where laws are created and civil governing occurs; it is also where generations of Coloradans, youth and adults alike, learn about our shared history. With the addition of a respectful monument dedicated to the remembrance of the Sand Creek Massacre, future generations may be better equipped to avoid the mistakes of the past and walk together into the future.

Sincerely,

A handwritten signature in cursive script that reads "Rebecca Chopp".

Rebecca Chopp  
Chancellor

