

**Senate Agriculture & Natural Resources**

**04/24/2025 01:30 PM**

**HB25-1163 Free Access to State Parks for CO Ute Tribes**

**Typed Text of Testimony Submitted**

<b>Name, Position, Representing</b>	<b>Typed Text of Testimony</b>
Tykee James For Conservation Colorado	<p>Greetings members of the Senate Agriculture and Natural Resources Committee. I am Tykee James, the Sr. Environmental Justice Campaign Manager at Conservation Colorado, our state’s largest environmental advocacy organization, and I’m here testifying in support of HB25-1163 as amended.</p> <p>This legislation would provide free access to Colorado State Parks for members of the Southern Ute Tribe and the Ute Mountain Ute Tribe, which is a symbolic step forward to acknowledge and honor the deep, ancestral connections these Tribes have to the lands that now comprise our state parks.</p> <p>As the oldest continuous residents of Colorado, these tribes have served as stewards of these lands since time immemorial, maintaining sacred sites and cultural resources that remain significant to their communities today. Removing the financial barrier to access their ancestral lands is not just about park admissions; it’s about dignity, respect, and recognition of their historical relationship to nature. The Brunot agreement of 1874 already acknowledged their rights to hunting, fishing, and gathering on these lands. This legislation is a first step that naturally extends that recognition.</p> <p>This bill’s introduction was guided by the Department of Natural Resources’ efforts to strengthen Colorado’s government-to-government relationships with the two federally recognized Tribes in the state. As these relationships grow, they reflect Colorado’s deeper understanding that Indigenous communities—including the nearly 50 historic Tribes connected to Colorado—share a connection to these lands that goes far beyond recreation. Their connection is cultural, spiritual, and central to their very identity. We know this is a first step and would love to see more Tribes involved.</p> <p>For these reasons, Conservation Colorado urges a “yes” vote on HB25-1163 as amended.</p> <p>Thank you for your time.</p>



# INTERFAITH ALLIANCE

OF COLORADO  
ACHIEVING DEMOCRACY TOGETHER

April 24, 2025

RE: HB25-1163 Free Access to State Parks for Colorado Ute Tribes

Chairperson Roberts and members of the Senate Agriculture & Natural Resources Committee,

Thank you for the opportunity to communicate our support for HB25-1163 Free Access to State Parks for Colorado Ute Tribes. The Interfaith Alliance of Colorado promotes justice, religious liberty, and interfaith understanding through building relationships in order to educate, advocate, and catalyze social change. We are an interfaith public policy and advocacy organization with over 400 congregations in our statewide network, representing over two dozen faith traditions.

As an interfaith organization, we understand that across many different peoples and traditions, religious and spiritual beliefs and practices are closely tied to nature and the land – and specific places can hold significant importance.

Long before many of our ancestors came to this land, people lived upon it and were its stewards. HB25-1163 acknowledges the deep ties that the Southern Ute and Ute Mountain Ute Tribes have to the land within Colorado, and the spiritual – as well as cultural, ancestral, and historic – nature of those ties.

Removing financial barriers to access is the right thing to do, and it is an important step forward in supporting access to places of spiritual and cultural significance. It is with this in mind that the Interfaith Alliance of Colorado supports a Yes vote on HB25-1163.

Thank you for your consideration,

Shara Smith, CEO  
Interfaith Alliance of Colorado



# History Colorado

We Are Colorado. Somos Colorado.

April 23, 2025

Chairman Senator Dylan Roberts  
Senate Agriculture and Natural Resources Committee  
Colorado General Assembly  
200 E Colfax Avenue, Denver, CO 80203

Dear Chairman Roberts,

In 2011, History Colorado, in partnership with the Colorado Commission of Indian Affairs, created a “Colorado Tribal Contacts List” of 48 Tribal Nations for the purposes of repatriating human remains under the Colorado Unmarked Burial Process. The list resulted from several years of Tribal consultations focused solely on the topic of repatriation, and resulted in a Memorandum of Understanding (“MOU”) of how human remains that fall outside of the Federal Native American Graves Protection and Repatriation Act (“NAGPRA”) process would be repatriated. The Tribes involved in the development of this list all have differing levels of engagement with the reburial process and differing views of geographic areas of interest. For instance, some Tribes ascribe their relationship to the entire State, and others to certain portions or counties within the State. The list only includes Tribes that chose to participate in these consultations. Not every Tribe that has a historic association with the State chose to participate in the development, and accordingly, those Tribes are not included in the list.

The “List of 48” was never intended to be an exhaustive identification of Tribes with a historic association to what is today Colorado. It also does not represent a list of State-recognized Tribes. The State of Colorado does not have a process for review and analysis of all Tribes with a historic association to what is today Colorado. There are many reasons that Tribes that are not on this list might be included in a consultation with a State agency, and many reasons that a Tribe on the list may choose not to participate in a consultation regarding specific areas or types of activities.

If State agencies use the “List of 48” for Tribal consultations, it should only be used as a potential starting point for thinking about the Tribes who may be interested in the issue to be discussed. Government-to-government consultation is an intentional relationship between a State agency and a Tribal government, and should be focused on how the activity in the consultation affects the Tribes invited to participate. The State of Colorado defers to Federal recognition of Tribal governments and respects the sovereignty of all Federally Recognized Tribes.

Sincerely,

Dawn DiPrince, President/CEO, History Colorado  
State Historic Preservation Officer

SUPPORT HB25-1163 – Free Access to State Parks for Colorado Ute Tribes

Izabella Ruffino, Tribal & Indigenous Engagement Program

The Nature Conservancy

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Thank you, Madam Chair, Senator Simpson, Senator Roberts, and members of the committee, for the opportunity to testify today in support of HB25-1163 – Free Access to State Parks for Colorado Ute Tribes.

My name Izabella Ruffino and I am the Tribal & Indigenous Engagement Program Manager for The Nature Conservancy in Colorado. I have been in this position now for a year and a half, which was created to build on our Tribal and Indigenous partnerships, expanding into all areas of our work.

The Nature Conservancy is a non-profit conservation organization working in all 50 states and over 80 countries around the world to protect the lands and waters on which all life depends.

A core pillar of our work is being in right relations with Indigenous people, supporting the voice, choice and action, of Tribal Nations and Indigenous communities' authority and capacity in natural resource management and decision making. This includes supporting increased access and reconnection to ancestral homelands. I am here today to represent The Nature Conservancy Colorado in support of the Tribal Nations and Indigenous communities in Colorado.

TNC honors that the Ute people are Colorado's longest continuous residents and greatly appreciates the partnerships with the Southern Ute Indian Tribe and the Ute Mountain Ute Tribe.

This bill takes an important step towards respecting, honoring, and supporting Tribal and Indigenous access to ancestral homelands. TNC supports the department's commitment to conduct outreach and engagement with other Tribal governments, American Indian communities, and Indigenous communities on opportunities related to state parks. We look forward to working with and supporting the State on these meaningful efforts.

We ask for your support for HB25-1163.

**WRITTEN TESTIMONY BY NORTHERN CHEYENNE TRADITIONAL CHIEF  
PHILLIP WHITEMAN JR.**

On HOUSE BILL 25-1163

Before the Senate Agriculture & Natural Resources Committee

April 24, 2025

I am addressing this Committee as a traditional Cheyenne Chief, and direct descendant of survivors of the Sand Creek Massacres and others who were massacred there, including my ancestor Chief White Antelope who had been given a peace medal by President Abraham Lincoln and met Chivington only to be mutilated and have his private parts paraded in Denver. It is the story of how our peoples, the Arapaho and Cheyenne, entire tribes, were driven from what was to become the state of Colorado by genocide. My greatgrandfather, Vehoc, Aaron Little Whiteman Jr. was a 3 year old at the Sand Creek Massacre, and barely escaped with his life just to see his mother killed in the Black Hills campaign and his aunt who raised him executed into the mass grave at Wounded Knee. It is clear who the peace-loving kind people were and who was part of the bloodthirsty mob hungry for our land. Another young Cheyenne Boy survived the Sand Creek Massacre by playing dead and collected the moccasins of others who had passed to be able to run to the mountains, he sought refuge in a cave and was found by a Ute Man, they communicated by sign language about which tribe they were from, and he helped him get strong. Similarly our Cheyenne ancestors raised a Ute Boy who had been orphaned, just like my great-grandfather Vehoc, he was a teenager by the time of the Battle of the Little Bighorn, coming up on its 150<sup>th</sup> anniversary next year, where he displayed his courage by riding into the battle first. We still have his descendants living among our people, and we have relatives among the Ute Tribes.

While we have received apologies from Colorado for the Sand Creek Massacre, we have called for recognition of these acts of genocide against our Peoples and that they are taught as such by way of a simple amendment to the [Holocaust and Genocide Studies in Public Schools Bill](#) passed in 2020 that failed to include any reference to Native Americans, thereby failing to teach all students in Colorado about genocide in these very lands. This is the reason why there are no reservations in the Eastern Frontal Range of the Rocky Mountains, our ancestral homelands that were also promised to us in treaties. The simple truth and key to properly recognizing this sits before the Colorado legislature right now in: [Senate Bill 123](#) on Genocide against Native Americans, recognizing this most heinous crime perpetrated against our peoples.

As traditional chiefs and leaders we carry the responsibility for our traditional homelands and sacred sites, far beyond the small Indian Reservations often in different states, that were one of the steps in the dispossession of our vast homelands. In many ways they mark the dispossession, oppression and dependency deliberately created and recognized as indicators of colonialism by the United Nations. Created to restrain our people, they still today are often used to try to justify lack of access to our lands and waters beyond the reservations and states where they were created. We are concerned that HB 25-1163 concerning free access to State Parks for Colorado Ute Tribes could be (mis)read to continue the legislative erasure of our Peoples, namely the Cheyenne and Arapaho, and our tribes and others; and Indigenous Peoples who are connected to

and continue to or have traditionally used and accessed these lands, including state parks in Colorado. While the Bill refers to the ongoing efforts of the State Park Division through outreach and engagement with the Southern Ute Tribe, the Ute Mountain Ute Tribe and other tribal governments, American Indian Communities, and Indigenous Communities on Opportunities related to State Parks that are managed by the Division; it then proceeds to mandate free access to State parks only for Tribal members of the Southern Ute and Ute Mountain Ute Tribe. It effectively excludes Cheyenne and Arapaho tribal members and other properly enrolled tribal members.

This runs counter to the recognition of our Indigenous Rights and how for example National Parks ensure free access for all Native American Tribal members. In our case, as Cheyenne and Arapaho People, and direct descendants of the Sand Creek Massacre, it means that while we would be granted free access to the Sand Creek Massacre Site, which is administered by National Parks and for example Rocky Mountain National Park in our homeland, that lies along the route our ancestors followed North to flee after the Sand Creek Massacre, we would not be granted free access to state parks along the way. Some of these parks, including in Boulder, officially carry names in our languages. Similarly the Sand Creek Massacre Trail is recognized through the State of Wyoming.

It would be a great injustice to fail to legislate free access to state parks for our tribal members and we are open to other enrolled tribal members also being listed by way of a simple amendments to the proposed Bill. Otherwise the final decision on the Bill should be postponed until our Arapaho and Cheyenne peoples and tribes along with others and Indigenous Peoples connected to the state have been fully engaged with. I have been reaching out to the Southern Ute and Ute Mountain Ute Tribes to ensure full engagement on the issue of genocide against all our Peoples, Native Americans, in the state of Colorado and despite numerous requests during this legislative period, no meeting has taken place yet. As the Cheyenne and Arapaho peoples we have long waited for the recognition of incidents of genocide against our peoples and we know that the Ute peoples in Colorado were also subject to acts of genocide and the resulting dispossession. I have called on all of them and their elected representatives, along with all descendants and intergenerational survivors of genocide to stand together, like our ancestors did, and ensure that their suffering has not been in vain and that our next generations do not have to continue to suffer. Ensuring free access to all Colorado State Parks for all properly enrolled Arapaho and Cheyenne tribal members and others connected to the state, would be an important first step in the necessary recognition and restitution.

To exclude the Arapaho and Cheyenne peoples, and our tribal members from a state Bill about free Indigenous access to state parks, at the same time as a resolution just passed both Houses unanimously to set up a monument to mark the Sand Creek Massacre on the grounds of the legislature, sends a more than contradictory message, it could be (mis)read as denialism or denial of free access to our homelands and especially the state parks in them. As Colorado stands to mark its 150th anniversary in the summer of 2026 there can be no more denying the Genocide Against Native Americans in these very lands and no more denying of free access to state parks for our tribal members; rather we have to use this moment to acknowledge, and teach about incidents of genocide right here; and start the process of intergenerational healing including by ensuring free access for our members to all Colorado State Parks.