AMENDMENT TO THE

TRIBAL-STATE COMPACT

BETWEEN

THE STATE OF CALIFORNIA

AND

TABLE MOUNTAIN RANCHERIA

AMENDMENT TO THE TRIBAL-STATE COMPACT BETWEEN THE STATE OF CALIFORNIA AND TABLE MOUNTAIN RANCHERIA TO EXTEND THE COMPACT TERM

WHEREAS, the State of California (State) and Table Mountain Rancheria (Tribe) entered into a class III gaming compact on September 10, 1999 (1999 Compact); and

WHEREAS, the State and the Tribe, on October 13, 1999, modified the terms of the 1999 Compact by Addendum "A" to Tribal-State Gaming Compact Between the Table Mountain Rancheria and the State of California (Addendum A); and

WHEREAS, the 1999 Compact took effect on May 16, 2000, upon publication of notice in the Federal Register that the Secretary of the United States Department of the Interior (Secretary) had approved the 1999 Compact as modified by Addendum A (65 Fed.Reg. 31189 (May 16, 2000)); and

WHEREAS, the 1999 Compact authorizes the Tribe to operate specified Gaming Activities, as provided therein, pursuant to the Indian Gaming Regulatory Act, 18 U.S.C. §§ 1166-1168, 25 U.S.C. § 2701 et seq. (IGRA); and

WHEREAS, section 11.2.1, subdivision (a) of the 1999 Compact as modified by Addendum A, Modification No. 4, reads as follows:

> Once effective this Compact shall be in full force and effect for state law purposes until December 31, 2020. No sooner than eighteen (18) months prior to the aforementioned termination date, either party may request the other party to enter into negotiations to extend this Compact or to enter into a new compact. If the parties have not agreed to extend the date of this Compact or entered into a new compact by the termination date, this Compact will automatically be extended to June 30, 2022, unless the parties have agreed to an earlier termination date.

and

WHEREAS, under the terms of Addendum A, section 11.2.1, subdivision (a), the termination date of the 1999 Compact was extended to June 30, 2022, and the 1999 Compact now shall terminate on that date; and

WHEREAS, in November 2021, the Assistant Secretary – Indian Affairs, through his delegated authority from the Secretary, disapproved class III gaming compacts for three federally recognized Indian tribes in California that had been negotiated with the State, creating substantial uncertainty for the State and the Tribe in developing a new class III gaming compact that would be approved under IGRA and take effect prior to the June 30, 2022 termination date of the 1999 Compact; and

WHEREAS, an extension to the 1999 Compact under IGRA does not require approval by the Secretary so long as the extension does not include any amendment to the terms of the 1999 Compact (25 C.F.R. § 293.5); and

WHEREAS, this amendment will not change, and is not intended by the Tribe and the State to change, any terms of the 1999 Compact except for extending the termination date provided in section 11.2.1, subdivision (a); and

WHEREAS, the Tribe and the State recognize that this amendment is authorized and negotiated and shall take effect pursuant to IGRA upon the date on which a statute, approved by the California Legislature and signed into law by the Governor ratifying this amendment, is chaptered by the California Secretary of State; and

WHEREAS, nothing in this amendment or the 1999 Compact shall preclude the State and the Tribe from entering into another amendment to further extend the date in section 11.2.1, subdivision (a) of the 1999 Compact.

NOW, THEREFORE, the State and the Tribe, for good and valuable consideration, including their mutual intent to maintain the 1999 Compact while negotiating a new class III gaming compact in light of the Secretary's recent action, hereby agree as set forth herein:

The first sentence of section 11.2.1, subdivision (a) of the 1999 Compact is repealed and replaced by the following:

Sec. 11.2.1. Effective. (a) Once effective this Compact shall be in full force and effect for state law purposes until December 31, 2023.

IN WITNESS WHEREOF, the undersigned sign this amendment solely to extend the term of the 1999 Compact on behalf of the State of California and Table Mountain Rancheria.

STATE OF CALIFORNIA

By Gavin Newsom
Governor of the State of California

Executed this 11 day of May, 2022, at Sacramento, California

TABLE MOUNTAIN RANCHERIA

By Brenda D. Lavell
Chairperson of Table Mountain Rancheria

Executed this 19th day of April, 2022, at Friant, California

ATTEST:

Shirley N. Weber, Ph.D.
Secretary of State, State of California