

CALIFORNIA GAMBLING CONTROL COMMISSION

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DATE: February 11, 2009

TO: Gambling Control Commission

FROM: Richard Ross, Deputy Director
 Compliance Division

SUBJECT: Revised Revenue Sharing Trust Fund Report of Distribution of Funds to Non-Compact Tribes (Eligible Recipient Indian Tribes) for the Quarter Ended September 30, 2008

The September 30, 2008 Revenue Sharing Trust Fund Report of Distribution of Funds has been revised to include the Big Valley Band of Pomo Indians. This Tribe requested, on October 13, 2008, to be placed on the list of eligible recipients for the RSTF for the quarter ending September 30, 2008. The Tribe was approved as an eligible recipient non-compact Tribe at the January 8, 2009 Commission meeting.

All eligible tribes will receive a total of \$275,000.00, which consists of \$143,900.41 from license fees and interest income and \$131,099.59 from shortfall funds that have been transferred into RSTF from SDF as shown in Exhibit 1. The quarterly amount of the shortfall in payments to all eligible recipient Indian tribes for the quarter totals \$9,439,170.48. A portion of the interest earned is allocated to previously approved distributions held in RSTF on behalf of one (1) tribe in the amount of \$25,718.18.

The total amount of quarterly license fee payments and interest received into the RSTF for the quarterly period ended September 30, 2008, is approximately \$10.38 million. License fees approximate \$10.13 million and interest of \$247,931.77 was received in July 2008. A listing of the amount of revenue received from each Compact Tribe is attached as Exhibit 3. The receipts are equally distributed to seventy-two (72)* of the eighty-six (86) tribes listed in Exhibit 1 as eligible Non-Compact recipient tribes (pending receipt of outstanding eligibility certification forms, if any).

At the end of the calendar quarter, the amount of outstanding license fee payments due into the RSTF from one (1) tribe was \$184,087.50. If the total license fee payments due at the end of this quarter had been paid into the RSTF, each recipient tribe would have received \$2,556.77 in additional RSTF money with this quarter's distribution in lieu of an equal amount of SDF transferred shortfall funds. Total outstanding and due license fee payments for the quarter ended September 30, 2008, are summarized in Table 1 below:

Table 1		
Indian Gaming Revenue Sharing Trust Fund License Fee Payment Aging Schedule as of September 30, 2008		
Quarter(s) in Arrears	Number of Tribes	Amount of License Fees Due
1	1	\$184,087.50
Totals	1	\$184,087.50

A fund condition statement for the RSTF through September 30, 2008, for the fiscal year 2008-09 is attached as Exhibit 2.

* Distribution to California Valley Miwok Tribe is withheld pending resolution of tribal leadership dispute.

Exhibit 1					
Revenue Sharing Trust Fund Distribution					
Total Amount of Distribution for the Quarter Ended September 30, 2008					
	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to September 30, 2008
1	Alturas Indian Rancheria	\$143,900.41	\$131,099.59	\$275,000.00	\$7,563,385.42
2	Augustine Band ²	.00	.00	.00	1,238,385.42
3	Bear River Band of the Rohnerville Rancheria	143,900.41	131,099.59	275,000.00	7,563,385.42
4	Benton Paiute Reservation	143,900.41	131,099.59	275,000.00	7,563,385.42
5	Big Lagoon Rancheria	143,900.41	131,099.59	275,000.00	7,563,385.42
6	Big Pine Reservation	143,900.41	131,099.59	275,000.00	7,563,385.42
7	Big Sandy Rancheria	143,900.41	131,099.59	275,000.00	7,563,385.42
8	Big Valley Band of Pomo Indians	143,900.41	131,099.59	275,000.00	275,000.00
9	Bishop Paiute Tribe	143,900.41	131,099.59	275,000.00	7,563,385.42
10	Blue Lake Rancheria ²	.00	.00	.00	1,788,385.42
11	Bridgeport Paiute Indian Colony	143,900.41	131,099.59	275,000.00	7,563,385.42
12	Buena Vista Rancheria	143,900.41	131,099.59	275,000.00	7,563,385.42
13	Cahto Indian Tribe of Laytonville Rancheria	143,900.41	131,099.59	275,000.00	7,563,385.42
14	Cahuilla Band of Mission Indians	143,900.41	131,099.59	275,000.00	7,563,385.42
15	California Valley Miwok Tribe ¹	143,900.41	131,099.59	275,000.00	7,563,385.42
16	Campo Band of Mission Indians ²	.00	.00	.00	538,034.21
17	Cedarville Rancheria	143,900.41	131,099.59	275,000.00	7,563,385.42
18	Chemehuevi Indian Tribe	143,900.41	131,099.59	275,000.00	7,563,385.42
19	Cher-Ae Heights Indian Community	143,900.41	131,099.59	275,000.00	7,563,385.42
20	Chicken Ranch Rancheria	143,900.41	131,099.59	275,000.00	7,563,385.42
21	Cloverdale Rancheria	143,900.41	131,099.59	275,000.00	7,563,385.42
22	Cold Springs Rancheria	143,900.41	131,099.59	275,000.00	7,563,385.42
23	Colorado River Indian Tribes	143,900.41	131,099.59	275,000.00	7,563,385.42

Exhibit 1**Revenue Sharing Trust Fund Distribution****Total Amount of Distribution for the Quarter Ended September 30, 2008**

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to September 30, 2008
24	Cortina Rancheria	143,900.41	131,099.59	275,000.00	7,563,385.42
25	Coyote Valley Band of Pomo Indians	143,900.41	131,099.59	275,000.00	3,575,000.00
26	Death Valley Timbi-Sha Shoshone Tribe	143,900.41	131,099.59	275,000.00	7,563,385.42
27	Dry Creek Rancheria ²	.00	.00	.00	1,513,385.42
28	Elem Indian Colony	143,900.41	131,099.59	275,000.00	7,563,385.42
29	Elk Valley Rancheria	143,900.41	131,099.59	275,000.00	7,563,385.42
30	Enterprise Rancheria	143,900.41	131,099.59	275,000.00	7,563,385.42
31	Ewiiapaayp Band of Kumeyaay Indians	143,900.41	131,099.59	275,000.00	7,563,385.42
32	Federated Indians of Graton Rancheria	143,900.41	131,099.59	275,000.00	7,142,594.03
33	Fort Bidwell Indian Community	143,900.41	131,099.59	275,000.00	7,563,385.42
34	Fort Independence Reservation	143,900.41	131,099.59	275,000.00	7,563,385.42
35	Fort Mojave Indian Tribe	143,900.41	131,099.59	275,000.00	7,563,385.42
36	Greenville Rancheria	143,900.41	131,099.59	275,000.00	7,563,385.42
37	Grindstone Rancheria	143,900.41	131,099.59	275,000.00	7,563,385.42
38	Guidiville Rancheria	143,900.41	131,099.59	275,000.00	7,563,385.42
39	Habematolel Pomo of Upper Lake	143,900.41	131,099.59	275,000.00	7,563,385.42
40	Hoopa Valley Tribe	143,900.41	131,099.59	275,000.00	7,563,385.42
41	Hopland Band of Pomo Indians ²	.00	.00	.00	441,306.53
42	Inaja-Cosmit Mission Indians	143,900.41	131,099.59	275,000.00	7,563,385.42
43	Ione Band of Miwok Indians	143,900.41	131,099.59	275,000.00	7,563,385.42
44	Jamul Indian Village	143,900.41	131,099.59	275,000.00	7,563,385.42
45	Karuk Tribe of California	143,900.41	131,099.59	275,000.00	7,563,385.42
46	La Jolla Band of Mission Indians	143,900.41	131,099.59	275,000.00	7,563,385.42
47	La Posta Band of Mission Indians	143,900.41	131,099.59	275,000.00	7,563,385.42
48	Lone Pine Reservation	143,900.41	131,099.59	275,000.00	7,563,385.42
49	Los Coyotes Band of Cahuilla Indians	143,900.41	131,099.59	275,000.00	7,563,385.42
50	Lower Lake Rancheria	143,900.41	131,099.59	275,000.00	7,142,594.03
51	Lytton Rancheria	143,900.41	131,099.59	275,000.00	7,563,385.42
52	Manchester Point Arena Rancheria	143,900.41	131,099.59	275,000.00	7,563,385.42
56	Manzanita Mission Indians	143,900.41	131,099.59	275,000.00	7,563,385.42
54	Mechoopda Indian Tribe	143,900.41	131,099.59	275,000.00	7,563,385.42

Exhibit 1**Revenue Sharing Trust Fund Distribution****Total Amount of Distribution for the Quarter Ended September 30, 2008**

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to September 30, 2008
55	Mesa Grande Mission Indians	143,900.41	131,099.59	275,000.00	7,563,385.42
56	Middletown Rancheria ²	.00	.00	.00	482,578.08
57	Northfork Rancheria	143,900.41	131,099.59	275,000.00	7,563,385.42
58	Pala Band of Mission Indians ²	.00	.00	.00	482,578.08
59	Paskenta Band of Nomelaki Indians ²	.00	.00	.00	688,385.42
60	Pauma Band of Mission Indians ²	.00	.00	.00	482,578.08
61	Picayune Rancheria ²	.00	.00	.00	1,513,385.42
62	Pinoleville Reservation	143,900.41	131,099.59	275,000.00	7,563,385.42
63	Pit River Tribe	143,900.41	131,099.59	275,000.00	7,563,385.42
64	Potter Valley Rancheria	143,900.41	131,099.59	275,000.00	7,563,385.42
65	Quartz Valley Indian Community	143,900.41	131,099.59	275,000.00	7,563,385.42
66	Quechan Tribe of Fort Yuma	143,900.41	131,099.59	275,000.00	7,563,385.42
67	Ramona Mission Indians	143,900.41	131,099.59	275,000.00	7,563,385.42
68	Redwood Valley Rancheria	143,900.41	131,099.59	275,000.00	7,563,385.42
69	Resighini Rancheria	143,900.41	131,099.59	275,000.00	7,563,385.42
70	Rincon Band of Mission Indians ²	.00	.00	.00	441,306.53
71	Round Valley Indian Tribe	143,900.41	131,099.59	275,000.00	7,563,385.42
72	San Pasqual Mission Indians ²	.00	.00	.00	482,578.08
73	Santa Rosa Band of Cahuilla Mission Indians	143,900.41	131,099.59	275,000.00	7,563,385.42
74	Santa Ysabel Mission Indians	143,900.41	131,099.59	275,000.00	7,563,385.42
75	Scotts Valley Band of Pomo Indians	143,900.41	131,099.59	275,000.00	7,563,385.42
76	Sherwood Valley Pomo Indians	143,900.41	131,099.59	275,000.00	7,563,385.42
77	Shingle Springs Rancheria	143,900.41	131,099.59	275,000.00	7,563,385.42
78	Smith River Rancheria	143,900.41	131,099.59	275,000.00	7,563,385.42
79	Stewarts Point Rancheria	143,900.41	131,099.59	275,000.00	7,563,385.42
80	Susanville Indian Rancheria	143,900.41	131,099.59	275,000.00	7,563,385.42
81	Table Bluff Reservation	143,900.41	131,099.59	275,000.00	7,563,385.42
82	Torrez-Martinez Mission Indians	143,900.41	131,099.59	275,000.00	7,563,385.42
83	Tuolumne Band of Me-Wuk Indians ²	.00	.00	.00	482,578.08

Exhibit 1**Revenue Sharing Trust Fund Distribution****Total Amount of Distribution for the Quarter Ended September 30, 2008**

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to September 30, 2008
84	United Auburn Indian Community ²	.00	.00	.00	1,513,385.42
85	Washoe Tribe of Nevada & California	143,900.41	131,099.59	275,000.00	7,563,385.42
86	Yurok Tribe of the Yurok Reservation	143,900.41	131,099.59	275,000.00	7,563,385.42
	Total	\$10,360,829.52	\$9,439,170.48	\$19,800,000.00	\$544,534,246.81

¹ Distribution to California Valley Miwok Tribe is withheld pending resolution of tribal leadership dispute.

² No longer an eligible Non-Compact recipient tribe, however previously received RSTF distributions.

EXHIBIT 2

CALIFORNIA GAMBLING CONTROL COMMISSION
0366 - INDIAN GAMING REVENUE SHARING TRUST FUND
FUND CONDITION STATEMENT
For the Three Months ended September 30, 2008
Cash Basis

BEGINNING BALANCE	\$	28,735,200.54
REVENUES AND TRANSFERS		
Revenues:		
150300 Income from surplus money investments		247,931.77
216900 License fees held in trust		10,138,616.62
Transfer from the SDF to the RSTF for shortfall per Item 0855-111-0367, Budget Act of 2008		39,200,000.00
Totals, Revenues	\$	<u>49,586,548.39</u>
Totals, Resources	\$	78,321,748.93
EXPENDITURES		
Disbursements:		
Distribution	\$	<u>19,250,000.00</u>
Totals, Expenditures	\$	<u><u>19,525,000.00</u></u>
FUND BALANCE, prior to distribution	\$	59,071,748.93
Pending distribution		19,525,000.00
Previously approved disbursements held on behalf of the California Valley MiWok Tribe pending resolution of tribal leadership dispute		4,088,001.99
Interest due to tribe ¹		252,051.27
Assembly Bill No. 673 (Chapter 210, Statutes of 2003) and Government Code Section 12012.90 reserve pending resolution		<u>275,000.00</u>
FUND BALANCE, after distribution	\$	<u><u>34,931,695.67</u></u>

Footnotes:

1. Accrued interest on previously held distributions in the amount of \$252,051.27 as of Quarter Ending September 30, 2008 for California Valley Miwok Tribe pending distribution.

Exhibit 3**Revenue Sharing Trust Fund Distribution****Amount of Revenue from Each Compact Tribe Received by the Commission for the Quarter Ending September 30, 2008**

	Compact Tribe	Revenue Received Fiscal Year to Date	Revenue Received Inception to Date
1	Agua Caliente Band of Cahuilla Indians	\$500,000.00	\$5,827,953.20
2	Alturas Indian Rancheria	0.00	375,000.00
3	Augustine Band of Mission Indians	0.00	562,500.00
4	Barona Band of Mission Indians	184,087.50	5,983,600.27
5	Bear River Band of the Rohnerville Rancheria	0.00	0.00
6	Berry Creek Rancheria	32,400.00	677,470.68
7	Big Sandy Rancheria	0.00	0.00 ¹
8	Big Valley Rancheria	0.00	500,000.00
9	Bishop Paiute Tribe	0.00	0.00
10	Blue Lake Rancheria	0.00	500,000.00
11	Buena Vista Rancheria	0.00	0.00 ¹
12	Cabazon Band of Mission Indians	316,687.50	8,025,692.05
13	Cahto Indian Tribe of the Laytonville Rancheria	0.00	0.00
14	Cahuilla Band of Mission Indians	0.00	125,000.00
15	Campo Band of Diegueno Mission Indians	0.00	500,000.00
16	Chemehuevi Indian Tribe	0.00	0.00 ¹
17	Cher-Ae Heights Indian Community	0.00	0.00
18	Chicken Ranch Rancheria	0.00	0.00
19	Colusa Rancheria	0.00	403,750.00
20	Dry Creek Rancheria	333,750.00	11,181,996.58
21	Elem Indian Colony	0.00	0.00
22	Elk Valley Rancheria	0.00	62,500.00
23	Ewiiapaayp Band of Kumeyaay Indians	0.00	2,437,433.22
24	Hoopa Valley Tribe	0.00	0.00
25	Hopland Band of Pomo Indians	108,900.00	2,891,866.24
26	Jackson Rancheria	255,750.00	6,296,566.36
27	Jamul Indian Village	0.00	0.00
28	La Jolla Band of Luiseno Indians	0.00	0.00
29	Manchester Point Arena Rancheria	0.00	0.00
30	Manzanita Band of Mission Indians	0.00	0.00
31	Middletown Rancheria	0.00	322,500.00
32	Mooretown Rancheria	56,250.00	1,233,863.38
33	Morongo Band of Mission Indians	464,804.14	962,104.14
34	Pala Band of Mission Indians	500,000.00	20,875,896.37
35	Paskenta Band of Nomlaki Indians	0.00	528,750.00
36	Pauma/Yuima Band of Mission Indians	1,000,000.00	2,556,852.17
37	Pechanga Band of Luiseno Mission	500,000.00	3,006,120.11

Exhibit 3**Revenue Sharing Trust Fund Distribution****Amount of Revenue from Each Compact Tribe Received by the Commission for the Quarter Ending September 30, 2008**

	Compact Tribe	Revenue Received Fiscal Year to Date	Revenue Received Inception to Date
38	Picayune Rancheria	551,250.00	16,463,969.18
39	Pit River Tribe	0.00	0.00
40	Quechan Indian Nation	0.00	0.00
41	Redding Rancheria	61,875.00	938,897.64
42	Resighini Rancheria	0.00	0.00
43	Rincon Band of Mission Indians	222,500.00	11,293,246.58
44	Robinson Rancheria	0.00	275,000.00
45	Rumsey Rancheria	500,000.00	11,637,524.18
46	San Manuel Band of Mission Indians	499,999.98	7,798,240.41
47	San Pasqual Band of Diegueno Indians	320,100.00	10,102,481.91
48	Santa Rosa Indian Community	636,075.00	21,311,126.51
49	Santa Ynez Band of Chumash Indians	328,875.00	11,018,664.04
50	Sherwood Valley Rancheria	0.00	0.00
51	Shingle Springs Rancheria	0.00	1,332,500.00
52	Smith River Rancheria	0.00	0.00
53	Soboba Band of Mission Indians	216,262.50	6,670,143.09
54	Susanville Indian Rancheria	0.00	0.00
55	Sycuan Band of Mission Indians	584,962.50	19,598,647.71
56	Table Mountain Rancheria	292,312.50	9,793,670.03
57	Tule River Reservation	256,725.00	6,234,549.04
58	Tuolumne Rancheria	70,425.00	1,388,272.81
59	Twenty-Nine Palms Band of Mission Indians	344,625.00	11,546,353.77
60	United Auburn Indian Community	500,000.00	13,450,312.20
61	Viejas Band of Mission Indians	500,000.00	10,194,230.34
	Totals	10,138,616.62	246,885,244.21
	Interest	247,931.77	7,809,732.33
	Grand Totals	\$10,386,548.39	\$254,694,976.54

Footnotes:

1. Prepayment receipts were returned to payor tribes for the return of unused putative gaming device licenses issued by Sides Accountancy Corporation. Licenses in equal number were issued by the Commission on September 5, 2002 resulting in \$2,137,500 in prepayment fees to the Fund.