

CALIFORNIA GAMBLING CONTROL COMMISSION

Address: 2399 Gateway Oaks Drive, Suite 220 • Sacramento, CA 95833-4231

Phone: (916) 263-0700 • FAX: (916) 263-0499



DATE: October 22, 2009

TO: Gambling Control Commission

FROM: Richard Ross, Deputy Director
Compliance Division

SUBJECT: Revenue Sharing Trust Fund Report of Distribution of Funds to Non-Compact Tribes (Eligible Recipient Indian Tribes) for the Quarter Ended September 30, 2009

All eligible Tribes will receive a total of \$275,000.00, which consists of \$149,530.34 from license fees and interest income and \$125,469.66 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 \$8,782,876.20. 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 \$10,694.99.

The total amount of quarterly license fee payments and interest received into the RSTF for the quarterly period ended September 30, 2009, is approximately \$10.47 million. License fees approximate \$10.35 million and interest of \$129,606.34 was received in July 2009.

A listing of the amount of revenue received from each Compact Tribe is attached as Exhibit 3. The receipts are equally distributed to seventy (70)¹ 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 four (4) Tribes was \$1,122,152.20. 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 \$16,030.74 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, 2009, are summarized in the following Table 1:

Table 1		
Indian Gaming Revenue Sharing Trust Fund License Fee Payment Aging Schedule as of September 30, 2009		
Period(s) in Arrears²	Number of Tribes	Amount of License Fees Due
One (1) Quarter (Section 4.3.2.3)	2	\$86,850.00
Exceeds 30 days after the calendar quarter (Section 4.3.2.2)	2	1,035,302.20
Totals	4	\$1,122,152.20

A fund condition statement for the RSTF through September 30, 2009, for the fiscal year 2009-10 is attached as Exhibit 2.

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

² Periods in Arrears are categorized according to the applicable Compact provisions of either 4.3.2.2 or 4.3.2.3.

Exhibit 1**Revenue Sharing Trust Fund Distribution****Total Amount of Distribution for the Quarter Ended September 30, 2009**

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to September 30, 2009
1	Alturas Indian Rancheria	149,530.34	125,469.66	\$275,000.00	\$8,663,385.42
2	Augustine Band ²	.00	.00	.00	1,238,385.42
3	Bear River Band of the Rohnerville Rancheria	149,530.34	125,469.66	275,000.00	8,663,385.42
4	Benton Paiute Reservation	149,530.34	125,469.66	275,000.00	8,663,385.42
5	Big Lagoon Rancheria	149,530.34	125,469.66	275,000.00	8,663,385.42
6	Big Pine Reservation	149,530.34	125,469.66	275,000.00	8,663,385.42
7	Big Sandy Rancheria	149,530.34	125,469.66	275,000.00	8,663,385.42
8	Big Valley Band of Pomo Indians	149,530.34	125,469.66	275,000.00	1,375,000.00
9	Bishop Paiute Tribe	149,530.34	125,469.66	275,000.00	8,663,385.42
10	Blue Lake Rancheria ²	.00	.00	.00	1,788,385.42
11	Bridgeport Paiute Indian Colony	149,530.34	125,469.66	275,000.00	8,663,385.42
12	Buena Vista Rancheria	149,530.34	125,469.66	275,000.00	8,663,385.42
13	Cahto Indian Tribe of Laytonville Rancheria	149,530.34	125,469.66	275,000.00	8,663,385.42
14	Cahuilla Band of Mission Indians	149,530.34	125,469.66	275,000.00	8,663,385.42
15	California Valley Miwok Tribe ¹	149,530.34	125,469.66	275,000.00	8,663,385.42
16	Campo Band of Mission Indians ²	.00	.00	.00	538,034.21
17	Cedarville Rancheria	149,530.34	125,469.66	275,000.00	8,663,385.42
18	Chemehuevi Indian Tribe	149,530.34	125,469.66	275,000.00	8,663,385.42
19	Cher-Ae Heights Indian Community	149,530.34	125,469.66	275,000.00	8,663,385.42
20	Chicken Ranch Rancheria	149,530.34	125,469.66	275,000.00	8,663,385.42
21	Cloverdale Rancheria	149,530.34	125,469.66	275,000.00	8,663,385.42
22	Cold Springs Rancheria	149,530.34	125,469.66	275,000.00	8,663,385.42
23	Colorado River Indian Tribes	149,530.34	125,469.66	275,000.00	8,663,385.42
24	Cortina Rancheria	149,530.34	125,469.66	275,000.00	8,663,385.42
25	Coyote Valley Band of Pomo Indians	149,530.34	125,469.66	275,000.00	4,675,000.00
26	Death Valley Timbi-Sha Shoshone Tribe	149,530.34	125,469.66	275,000.00	8,663,385.42
27	Dry Creek Rancheria ²	.00	.00	.00	1,513,385.42
28	Elem Indian Colony	149,530.34	125,469.66	275,000.00	8,663,385.42
29	Elk Valley Rancheria	149,530.34	125,469.66	275,000.00	8,663,385.42
30	Enterprise Rancheria	149,530.34	125,469.66	275,000.00	8,663,385.42
31	Ewiiapaayp Band of Kumeyaay Indians	149,530.34	125,469.66	275,000.00	8,663,385.42

Exhibit 1**Revenue Sharing Trust Fund Distribution****Total Amount of Distribution for the Quarter Ended September 30, 2009**

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to September 30, 2009
32	Federated Indians of Graton Rancheria	149,530.34	125,469.66	275,000.00	8,242,594.03
33	Fort Bidwell Indian Community	149,530.34	125,469.66	275,000.00	8,663,385.42
34	Fort Independence Reservation	149,530.34	125,469.66	275,000.00	8,663,385.42
35	Fort Mojave Indian Tribe	149,530.34	125,469.66	275,000.00	8,663,385.42
36	Greenville Rancheria	149,530.34	125,469.66	275,000.00	8,663,385.42
37	Grindstone Rancheria	149,530.34	125,469.66	275,000.00	8,663,385.42
38	Guidiville Rancheria	149,530.34	125,469.66	275,000.00	8,663,385.42
39	Habematolel Pomo of Upper Lake	149,530.34	125,469.66	275,000.00	8,663,385.42
40	Hoopla Valley Tribe	149,530.34	125,469.66	275,000.00	8,663,385.42
41	Hopland Band of Pomo Indians ²	.00	.00	.00	441,306.53
42	Inaja-Cosmit Mission Indians	149,530.34	125,469.66	275,000.00	8,663,385.42
43	Ione Band of Miwok Indians	149,530.34	125,469.66	275,000.00	8,663,385.42
44	Jamul Indian Village	149,530.34	125,469.66	275,000.00	8,663,385.42
45	Karuk Tribe of California	149,530.34	125,469.66	275,000.00	8,663,385.42
46	La Jolla Band of Mission Indians	149,530.34	125,469.66	275,000.00	8,663,385.42
47	La Posta Band of Mission Indians	149,530.34	125,469.66	275,000.00	8,663,385.42
48	Lone Pine Reservation	149,530.34	125,469.66	275,000.00	8,663,385.42
49	Los Coyotes Band of Cahuilla Indians	149,530.34	125,469.66	275,000.00	8,663,385.42
50	Lower Lake Rancheria	149,530.34	125,469.66	275,000.00	8,242,594.03
51	Lytton Rancheria	149,530.34	125,469.66	275,000.00	8,663,385.42
52	Manchester Point Arena Rancheria	149,530.34	125,469.66	275,000.00	8,663,385.42
53	Manzanita Mission Indians	149,530.34	125,469.66	275,000.00	8,663,385.42
54	Mechoopda Indian Tribe	149,530.34	125,469.66	275,000.00	8,663,385.42
55	Mesa Grande Mission Indians	149,530.34	125,469.66	275,000.00	8,663,385.42
56	Middletown Rancheria ²	.00	.00	.00	482,578.08
57	Northfork Rancheria	149,530.34	125,469.66	275,000.00	8,663,385.42
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

Exhibit 1**Revenue Sharing Trust Fund Distribution****Total Amount of Distribution for the Quarter Ended September 30, 2009**

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to September 30, 2009
62	Pinoleville Reservation	149,530.34	125,469.66	275,000.00	8,663,385.42
63	Pit River Tribe	149,530.34	125,469.66	275,000.00	8,663,385.42
64	Potter Valley Tribe	149,530.34	125,469.66	275,000.00	8,663,385.42
65	Quartz Valley Indian Community	149,530.34	125,469.66	275,000.00	8,663,385.42
66	Quechan Tribe of Fort Yuma ²	.00	.00	.00	7,838,385.42
67	Ramona Mission Indians	149,530.34	125,469.66	275,000.00	8,663,385.42
68	Redwood Valley Rancheria	149,530.34	125,469.66	275,000.00	8,663,385.42
69	Resighini Rancheria	149,530.34	125,469.66	275,000.00	8,663,385.42
70	Rincon Band of Mission Indians ²	.00	.00	.00	441,306.53
71	Round Valley Indian Tribe	149,530.34	125,469.66	275,000.00	8,663,385.42
72	San Pasqual Mission Indians ²	.00	.00	.00	482,578.08
73	Santa Rosa Band of Cahuilla Indians	149,530.34	125,469.66	275,000.00	8,663,385.42
74	Shipay Nation of Santa Ysabel	149,530.34	125,469.66	275,000.00	8,663,385.42
75	Scotts Valley Band of Pomo Indians	149,530.34	125,469.66	275,000.00	8,663,385.42
76	Sherwood Valley Pomo Indians	149,530.34	125,469.66	275,000.00	8,663,385.42
77	Shingle Springs Rancheria ²	.00	.00	.00	7,563,385.42
78	Smith River Rancheria	149,530.34	125,469.66	275,000.00	8,663,385.42
79	Stewarts Point Rancheria	149,530.34	125,469.66	275,000.00	8,663,385.42
80	Susanville Indian Rancheria	149,530.34	125,469.66	275,000.00	8,663,385.42
81	Wiyot Tribe	149,530.34	125,469.66	275,000.00	8,663,385.42
82	Torres Martinez Cahuilla Indians	149,530.34	125,469.66	275,000.00	8,663,385.42
83	Tuolumne Band of Me-Wuk Indians ²	.00	.00	.00	482,578.08
84	United Auburn Indian Community ²	.00	.00	.00	1,513,385.42
85	Washoe Tribe of Nevada & California	149,530.34	125,469.66	275,000.00	8,663,385.42
86	Yurok Tribe of the Yurok Reservation	149,530.34	125,469.66	275,000.00	8,663,385.42
	Total	\$10,467,123.80	\$8,782,876.20	\$19,250,000.00	\$621,809,246.81

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, 2009 Cash Basis

BEGINNING BALANCE	\$	31,302,329.28
REVENUES AND TRANSFERS		
Revenues:		
150300 Income from surplus money investments		129,606.34
216900 License fees held in trust		10,348,212.50
Transfer from the SDF to the RSTF for shortfall per Item 0855-111-0367, Budget Act of 2009		33,700,000.00
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Totals, Revenues	\$	<hr/> 44,177,818.84
Totals, Resources	\$	75,480,148.12
EXPENDITURES		
Disbursements:		
Distribution	\$	<hr/> 18,975,000.00
		<hr/>
Totals, Expenditures	\$	<hr/> 18,975,000.00
FUND BALANCE, prior to distribution	\$	56,505,148.12
Pending distribution		18,975,000.00
Previously approved disbursements held on behalf of the California Valley MiWok Tribe pending resolution of Tribal leadership dispute		5,188,001.99
Interest due to Tribes ¹		325,204.93
Assembly Bill No. 673 (Chapter 210, Statutes of 2003) and Government Code Section 12012.90 reserve pending resolution		<hr/> 275,000.00
		<hr/>
FUND BALANCE, after distribution ²	\$	<hr/> 31,741,941.20

Footnotes:

¹. Accrued interest on previously held distributions in the amount of \$325,204.93 as of Quarter Ending September 30, 2009 for California Valley Miwok Tribe pending distribution.

². The fund balance represents the cash basis balance as identified by the Commission since inception of the Fund. This balance may not agree with the State Controller's fund balance, which is reported on an accrual basis. Additional reconciling items may exist that have not been identified.

Exhibit 3**Revenue Sharing Trust Fund****Amount of Revenue from Each Compact Tribe Received by the Commission for the Quarter Ending September 30, 2009**

	Compact Tribe	Revenue Received Fiscal Year to Date	Revenue Received Inception to Date
1	Agua Caliente Band of Cahuilla Indians	\$500,000.00	\$7,827,953.20
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	6,904,037.77
5	Bear River Band of the Rohnerville Rancheria	0.00	0.00
6	Berry Creek Rancheria	0.00	774,670.68
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	516,250.00
11	Buena Vista Rancheria	0.00	0.00 ¹
12	Cabazon Band of Mission Indians	316,687.50	9,292,442.05
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	12,516,996.58
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	Hoopla Valley Tribe	0.00	0.00
25	Hopland Band of Pomo Indians	54,450.00	3,055,216.24
26	Jackson Rancheria	255,750.00	7,319,566.36
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	337,500.00
32	Mooretown Rancheria	56,250.00	1,458,863.38
33	Morongo Band of Mission Indians	500,000.00	2,962,104.14
34	Pala Band of Mission Indians	500,000.00	22,875,896.37
35	Paskenta Band of Nomlaki Indians	0.00	528,750.00
36	Pauma/Yuima Band of Mission Indians	0.00	3,056,852.17
37	Pechanga Band of Luiseno Mission	500,000.00	5,006,120.11

Exhibit 3			
Revenue Sharing Trust Fund			
Amount of Revenue from Each Compact Tribe Received by the Commission for the Quarter Ending September 30, 2009			
	Compact Tribe	Revenue Received Fiscal Year to Date	Revenue Received Inception to Date
38	Picayune Rancheria	551,250.00	18,668,969.18
39	Pit River Tribe	0.00	0.00
40	Quechan Indian Nation	0.00	0.00
41	Redding Rancheria	61,875.00	1,248,272.64
42	Resighini Rancheria	0.00	0.00
43	Rincon Band of Mission Indians	333,750.00	12,516,996.58
44	Robinson Rancheria	0.00	337,500.00
45	Rumsey Rancheria	500,000.00	13,637,524.18
46	San Manuel Band of Mission Indians	500,000.00	9,798,240.41
47	San Pasqual Band of Diegueno Indians	320,100.00	11,382,881.91
48	Santa Rosa Indian Community	636,075.00	23,855,426.51
49	Santa Ynez Band of Chumash Indians	328,875.00	12,334,164.04
50	Sherwood Valley Rancheria	0.00	0.00
51	Shingle Springs Rancheria	1,150,000.00	3,495,892.05
52	Smith River Rancheria	0.00	0.00
53	Soboba Band of Mission Indians	216,262.50	7,535,193.09
54	Susanville Indian Rancheria	0.00	0.00
55	Sycuan Band of Mission Indians	584,962.50	21,938,497.71
56	Table Mountain Rancheria	292,312.50	10,962,920.03
57	Tule River Reservation	256,725.00	7,261,449.04
58	Tuolumne Rancheria	70,425.00	1,669,972.81
59	Twenty-Nine Palms Band of Mission Indians	344,625.00	12,924,853.77
60	United Auburn Indian Community	500,000.00	15,450,312.20
61	Viejas Band of Mission Indians	500,000.00	12,194,230.34
	Totals	\$10,348,212.50	\$286,612,698.76
	Interest	129,606.34	8,540,676.97
	Grand Totals	\$10,477,818.84	\$295,153,375.73

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.