ARNOLD SCHWARZENEGGER, GOVERNOR

CALIFORNIA GAMBLING CONTROL COMMISSION

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- DATE: July 22, 2010
- TO: Gambling Control Commission
- FROM: Richard Ross, Deputy Director Compliance Division
- SUBJECT: <u>Revised Revenue Sharing Trust Fund Report of Distribution of Funds to Non-</u> <u>Compact Tribes (Eligible Recipient Indian Tribes) for the Quarter Ended</u> <u>September 30, 2009</u>

The *Revenue Sharing Trust Fund Report of Distribution of Funds to Non-Compact Tribes* for the quarter ended September 30, 2009 is revised to include the distribution to the Wilton Rancheria. Wilton Rancheria was approved as an eligible recipient Indian Tribe retroactive to June 8, 2009 at the January 28, 2010 Commission meeting.

All eligible Tribes will receive a total of \$275,000.00, which consists of \$147,422.80 from license fees and interest income and \$127,577.20 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 \$9,057,981.20. A portion of the interest earned is allocated to previously approved distributions held in RSTF on behalf of two (2) Tribes in the amount of \$10,799.95.

The distribution to the Wilton Rancheria for the quarter ended September 30, 2009 is withheld in the RSTF until the Tribal government is identified.

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-one (71)¹ of the eighty-seven (87) 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 \$15,804.96 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 Arrears ²	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. Distribution to Wilton Rancheria is withheld pending identification of Tribal government.

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

	ibit 1	•					
	Revenue Sharing Trust Fund Distribution Total Amount of Distribution for the Quarter Ended September 30, 2009						
100	Recipient Indian Tribe	Quarter Ended Se Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to September 30, 2009		
1	Alturas Indian Rancheria	147,422.80	127,577.20	\$275,000.00	\$8,663,385.42		
2	Augustine Band of Cahuilla Indians ²	.00	.00	.00	1,238,385.42		
3	Bear River Band of the Rohnerville Rancheria	147,422.80	127,577.20	275,000.00	8,663,385.42		
4	Big Lagoon Rancheria	147,422.80	127,577.20	275,000.00	8,663,385.42		
5	Big Pine Band of Owens Valley Paiute Shoshone Indians of the Big Pine Reservation	147,422.80	127,577.20	275,000.00	8,663,385.42		
6	Big Sandy Rancheria of Mono Indians of California	147,422.80	127,577.20	275,000.00	8,663,385.42		
7	Big Valley Band of Pomo Indians of the Big Valley Rancheria	147,422.80	127,577.20	275,000.00	1,375,000.00		
8	Blue Lake Rancheria ²	.00	.00	.00	1,788,385.42		
9	Bridgeport Paiute Indian Colony of California	147,422.80	127,577.20	275,000.00	8,663,385.42		
10	Buena Vista Rancheria of Me-Wuk Indians of California	147,422.80	127,577.20	275,000.00	8,663,385.42		
11	Cahto Indian Tribe of Laytonville Rancheria	147,422.80	127,577.20	275,000.00	8,663,385.42		
12	Cahuilla Band of Mission Indians of the Cahuilla Reservation	147,422.80	127,577.20	275,000.00	8,663,385.42		
13	California Valley Miwok Tribe ¹	147,422.80	127,577.20	275,000.00	8,663,385.42		
14	Campo Band of Diegueno Mission Indians of the Campo Indian Reservation ²	.00	.00	.00	538,034.21		
15	Cedarville Rancheria	147,422.80	127,577.20	275,000.00	8,663,385.42		
16	Chemehuevi Indian Tribe of the Chemehuevi Reservation	147,422.80	127,577.20	275,000.00	8,663,385.42		
17	Cher-Ae Heights Indian Community of the Trinidad Rancheria	147,422.80	127,577.20	275,000.00	8,663,385.42		
18	Chicken Ranch Rancheria of Me-Wuk Indians of California	147,422.80	127,577.20	275,000.00	8,663,385.42		
19	Cloverdale Rancheria of Pomo Indians of California	147,422.80	127,577.20	275,000.00	8,663,385.42		
20	Cold Springs Rancheria of Mono Indians of California	147,422.80	127,577.20	275,000.00	8,663,385.42		
21	Colorado River Indian Tribes of the Colorado River Indian Reservation	147,422.80	127,577.20	275,000.00	8,663,385.42		

	ibit 1				
	enue Sharing Trust Fund Distri				
Tota	I Amount of Distribution for th	Quarter Ended Se Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to September 30, 2009
22	Cortina Indian Rancheria of				· · · · · · · · · · · · · · · · · · ·
00	Wintun Indians of California	147,422.80	127,577.20	275,000.00	8,663,385.42
23	Coyote Valley Band of Pomo Indians of California	147,422.80	127,577.20	275,000.00	4,675,000.00
24	Death Valley Timbi-Sha Shoshone Band of California	147,422.80	127,577.20	275,000.00	8,663,385.42
25	Dry Creek Rancheria of Pomo Indians of California ²	.00	.00	.00	1,513,385.42
26	Elem Indian Colony of Pomo Indians of the Sulphur Bank	147 400 90	107 577 00	275 000 00	0.662.205.40
27	Rancheria	147,422.80	127,577.20 127,577.20	275,000.00	8,663,385.42
27 28	Elk Valley Rancheria Enterprise Rancheria of	147,422.80	127,077.20	275,000.00	8,663,385.42
	Maidu Indians of California	147,422.80	127,577.20	275,000.00	8,663,385.42
29	Ewiiaapaayp Band of Kumeyaay Indians	147,422.80	127,577.20	275,000.00	8,663,385.42
30	Federated Indians of Graton Rancheria	147,422.80	127,577.20	275,000.00	8,242,594.03
31	Fort Bidwell Indian Community of the Fort Bidwell Reservation of California	147,422.80	127,577.20	275,000.00	8,663,385.42
32	Fort Independence Indian Community of Paiute Indians of the Fort Independence Reservation	147,422.80	127,577.20	275,000.00	8,663,385.42
33	Fort Mojave Indian Tribe of Arizona, California & Nevada	147,422.80	127,577.20	275,000.00	8,663,385.42
34	Greenville Rancheria of Maidu Indians of California	147,422.80	127,577.20	275,000.00	8,663,385.42
35	Grindstone Indian Rancheria of Wintun-Wailaki Indians of California	147,422.80	127,577.20	275,000.00	8,663,385.42
36	Guidiville Rancheria of California	147,422.80	127,577.20	275,000.00	8,663,385.42
37	Habematolel Pomo of Upper Lake	147,422.80	127,577.20	275,000.00	8,663,385.42
38	Hoopa Valley Tribe	147,422.80	127,577.20	275,000.00	8,663,385.42
39	Hopland Band of Pomo Indians of the Hopland Rancheria ²	.00	.00	.00	441,306.53
40	lipay Nation of Santa Ysabel	147,422.80	127,577.20	275,000.00	8,663,385.42
41	Inaja Band of Diegueno Mission Indians of the Inaja and Cosmit Reservation	147,422.80	127,577.20	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						
Tota	Recipient Indian Tribe	Quarter Ended de Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to September 30, 2009		
42	Ione Band of Miwok Indians of California	147,422.80	127,577.20	275,000.00	8,663,385.42		
43	Jamul Indian Village of California	147,422.80	127,577.20	275,000.00	8,663,385.42		
44	Karuk Tribe of California	147,422.80	127,577.20	275,000.00	8,663,385.42		
45	Kashia Band of Pomo Indians of the Stewarts Point Rancheria	147,422.80	127,577.20	275,000.00	8,663,385.42		
46	La Jolla Band of Luiseno Mission Indians of the La Jolla Reservation	147,422.80	127,577.20	275,000.00	8,663,385.42		
47	La Posta Band of Diegueno Mission Indians of the La Posta Indian Reservation	147,422.80	127,577.20	275,000.00	8,663,385.42		
48	Los Coyotes Band of Cahuilla and Cupeno Indians	147,422.80	127,577.20	275,000.00	8,663,385.42		
49	Lower Lake Rancheria	147,422.80	127,577.20	275,000.00	8,242,594.03		
50	Lytton Rancheria of California	147,422.80	127,577.20	275,000.00	8,663,385.42		
51	Manchester Band of Pomo Indians of the Manchester- Point Arena Rancheria	147,422.80	127,577.20	275,000.00	8,663,385.42		
52	Manzanita Band of Diegueno Mission Indians of the Manzanita Reservation	147,422.80	127,577.20	275,000.00	8,663,385.42		
53	Mechoopda Indian Tribe of Chico Rancheria	147,422.80	127,577.20	275,000.00	8,663,385.42		
54	Mesa Grande Band of Diegueno Mission Indians of the Mesa Grande Reservation	147,422.80	127,577.20	275,000.00	8,663,385.42		
55	Middletown Rancheria of Pomo Indians of California ²	.00	.00	.00	482,578.08		
56	Northfork Rancheria of Mono Indians of California	147,422.80	127,577.20	275,000.00	8,663,385.42		
57	Paiute-Shoshone Indians of the Bishop Community of the Bishop Colony	147,422.80	127,577.20	275,000.00	8,663,385.42		
58	Paiute-Shoshone Indians of the Lone Pine Community of the Lone Pine Reservation	147,422.80	127,577.20	275,000.00	8,663,385.42		
59	Pala Band of Luiseno Mission Indians of the Pala Reservation ²	.00	.00	.00	482,578.08		
60	Paskenta Band of Nomlaki Indians of California ²	.00	.00	.00	688,385.42		

	<i>ibit 1</i> enue Sharing Trust Fund Distri	hution					
	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		
61	Pauma Band of Luiseno Mission Indians of the Pauma & Yuima Reservation ²	.00	.00	.00	482,578.08		
62	Picayune Rancheria of Chukchansi Indians of California ²	.00	.00	.00	1,513,385.42		
63	Pinoleville Pomo Nation	147,422.80	127,577.20	275,000.00	8,663,385.42		
64	Pit River Tribe (includes XL Ranch, Big Bend, Likely, Lookout, Montgomery Creek and Roaring Creek Rancherias)	147,422.80	127,577.20	275,000.00	8,663,385.42		
65	Potter Valley Tribe	147,422.80	127,577.20	275,000.00	8,663,385.42		
66	Quartz Valley Indian Community of the Quartz Valley Reservation of California	147,422.80	127,577.20	275,000.00	8,663,385.42		
67	Quechan Tribe of the Fort Yuma Indian Reservation ²	.00	.00	.00	7,838,385.42		
68	Ramona Band or Village of Cahuilla Mission Indians of California	147,422.80	127,577.20	275,000.00	8,663,385.42		
69	Redwood Valley Rancheria of Pomo Indians of California	147,422.80	127,577.20	275,000.00	8,663,385.42		
70	Resighini Rancheria	147,422.80	127,577.20	275,000.00	8,663,385.42		
71	Rincon Band of Luiseno Mission Indians of the Rincon Reservation ²	.00	.00	.00	441,306.53		
72	Round Valley Indian Tribes of the Round Valley Reservation	147,422.80	127,577.20	275,000.00	8,663,385.42		
73	San Pasqual Band of Diegueno Mission Indians of California ²	.00	.00	.00	482,578.08		
74	Santa Rosa Band of Cahuilla Indians	147,422.80	127,577.20	275,000.00	8,663,385.42		
75	Scotts Valley Band of Pomo Indians of California	147,422.80	127,577.20	275,000.00	8,663,385.42		
76	Sherwood Valley Rancheria of Pomo Indians of California	147,422.80	127,577.20	275,000.00	8,663,385.42		
77	Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria (Verona Tract) ²	.00	.00	.00	7,563,385.42		
78	Smith River Rancheria	147,422.80	127,577.20	275,000.00	8,663,385.42		

Exh	ibit 1					
	Revenue Sharing Trust Fund Distribution					
Tota	I Amount of Distribution for th		eptember 30, 200	9	1	
	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to September 30, 2009	
79	Susanville Indian Rancheria	147,422.80	127,577.20	275,000.00	8,663,385.42	
80	Torres Martinez Desert Cahuilla Indians	147,422.80	127,577.20	275,000.00	8,663,385.42	
81	Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California ²	.00	.00	.00	482,578.08	
82	United Auburn Indian Community of the Auburn Rancheria of California ²	.00	.00	.00	1,513,385.42	
83	Utu Utu Gwaitu Paiute Tribe of the Benton Paiute Reservation	147,422.80	127,577.20	275,000.00	8,663,385.42	
84	Washoe Tribe of Nevada & California (Carson Colony, Dresslerville Colony, Woodfords Community, Stewart Community, & Washoe Ranches)	147,422.80	127,577.20	275,000.00	8,663,385.42	
85	Wilton Rancheria ³	147,422.80	127,577.20	275,000.00	344,505.49	
86	Wiyot Tribe	147,422.80	127,577.20	275,000.00	8,663,385.42	
87	Yurok Tribe of the Yurok Reservation	147,422.80	127,577.20	275,000.00	8,663,385.42	
	Total	\$10,467,018.80	\$9,057,981.20	\$19,250,000.00	\$622,153,752.30	

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.

³Distribution to Wilton Rancheria is withheld pending identification of Tribal government.

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 216900 License fees held in trust	129,606.34 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
Totals, Revenues	\$ 44,177,818.84
Totals, Resources	\$ 75,480,148.12
EXPENDITURES Disbursements:	
Distribution	\$ 18,975,000.00
Totals, Expenditures	\$ 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
Disbursements held on behalf of the Wilton Rancheria	344,505.49
Interest due to Tribes ¹	325,309.89
Assembly Bill No. 673 (Chapter 210, Statutes of 2003) and Government Code Section 12012.90 reserve pending resolution	275,000.00
FUND BALANCE, after distribution ²	\$ 31,397,330.75

Footnotes:

^{1.} Accrued interest on previously held distributions in the amount of \$325,204.93 and \$104.96 as of Quarter Ending September 30, 2009 for California Valley Miwok Tribe and Wilton Rancheria, respectively, 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 of the Agua Caliente Indian Reservation	\$500,000.00	\$7,827,953.20
2	Alturas Indian Rancheria	0.00	375,000.00
3	Augustine Band of Cahuilla Indians	0.00	562,500.00
4	Barona Group of Capitan Grande Band of Mission Indians of the Barona Reservation	184,087.50	6,904,037.77
5	Bear River Band of the Rohnerville Rancheria	0.00	0.00
6	Berry Creek Rancheria of Maidu Indians of California	0.00	774,670.68
7	Big Sandy Rancheria of Mono Indians of California	0.00	0.00 ¹
8	Big Valley Band of Pomo Indians of the Big Valley Rancheria	0.00	500,000.00
9	Blue Lake Rancheria	0.00	516,250.00
10	Buena Vista Rancheria of Me-Wuk Indians of California	0.00	0.00 ¹
11	Cabazon Band of Mission Indians	316,687.50	9,292,442.05
12	Cachil DeHe Band of Wintun Indians of the Colusa Indian Community of the Colusa Rancheria	0.00	403,750.00
13	Cahto Indian Tribe of the Laytonville Rancheria	0.00	0.00
14	Cahuilla Band of Mission Indians of the Cahuilla Reservation	0.00	125,000.00
15	Campo Band of Diegueno Mission Indians of the Campo Indian Reservation	0.00	500,000.00
16	Chemehuevi Indian Tribe of the Chemehuevi Reservation	0.00	0.00 ¹
17	Cher-Ae Heights Indian Community of the Trinidad Rancheria	0.00	0.00
18	Chicken Ranch Rancheria of Me-Wuk Indians of California	0.00	0.00
19	Dry Creek Rancheria of Pomo Indians of California	333,750.00	12,516,996.58
20	Elem Indian Colony of Pomo Indians of the Sulphur Band Rancheria	0.00	0.00
21	Elk Valley Rancheria	0.00	62,500.00
22	Ewiiaapaayp Band of Kumeyaay Indians	0.00	2,437,433.22
23	Hoopa Valley Tribe	0.00	0.00

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
24	Hopland Band of Pomo Indians of the Hopland Rancheria	54,450.00	3,055,216.24
25	Jackson Rancheria of Me-Wuk Indians of California	255,750.00	7,319,566.36
26	Jamul Indian Village of California	0.00	0.00
27	La Jolla Band of Luiseno Mission Indians of the La Jolla Reservation	0.00	0.00
28	Manchester Band of Pomo Indians of the Manchester-Point Arena Rancheria	0.00	0.00
29	Manzanita Band of Diegueno Mission Indians of the Manzanita Reservation	0.00	0.00
30	Middletown Rancheria of Pomo Indians of California	0.00	337,500.00
31	Mooretown Rancheria of Maidu Indians of California	56,250.00	1,458,863.38
32	Morongo Band of Mission Indians	500,000.00	2,962,104.14
33	Paiute-Shoshone Indians of the Bishop Community of the Bishop Colony	0.00	0.00
34	Pala Band of Luiseno Mission Indians of the Pala Reservation	500,000.00	22,875,896.37
35	Paskenta Band of Nomlaki Indians of California	0.00	528,750.00
36	Pauma Band of Luiseno Mission Indians of the Pauma & Yuima Reservation	0.00	3,056,852.17
37	Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation	500,000.00	5,006,120.11
38	Picayune Rancheria of Chukchansi Indians of California	551,250.00	18,668,969.18
39	Pit River Tribe (includes XL Ranch, Big Bend, Likely, Lookout, Montgomery Creek and Roaring Creek Rancherias)	0.00	0.00
40	Quechan Tribe of the Fort Yuma Indian Reservation	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 Luiseno Mission Indians of the Rincon Reservation	333,750.00	12,516,996.58
44	Robinson Rancheria of Pomo Indians of California	0.00	337,500.00
45	Rumsey Indian Rancheria of Wintun Indians of California	500,000.00	13,637,524.18

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
46	San Manuel Band of Mission Indians	500,000.00	9,798,240.41
47	San Pasqual Band of Diegueno Mission Indians of California	320,100.00	11,382,881.91
48	Santa Rosa Indian Community of the Santa Rosa Rancheria	636,075.00	23,855,426.51
49	Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation	328,875.00	12,334,164.04
50	Sherwood Valley Rancheria of Pomo Indians of California	0.00	0.00
51	Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria (Verona Tract)	1,150,000.00	3,495,892.05
52	Smith River Rancheria	0.00	0.00
53	Soboba Band of Luiseno Indians	216,262.50	7,535,193.09
54	Susanville Indian Rancheria	0.00	0.00
55	Sycuan Band of the Kumeyaay Nation	584,962.50	21,938,497.71
56	Table Mountain Rancheria of California	292,312.50	10,962,920.03
57	Tule River Indian Tribe of the Tule River Reservation	256,725.00	7,261,449.04
58	Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California	70,425.00	1,669,972.81
59	Twenty-Nine Palms Band of Mission Indians of California	344,625.00	12,924,853.77
60	United Auburn Indian Community of the Auburn Rancheria of California	500,000.00	15,450,312.20
61	Viejas (Baron Long) Group of Capitan Grande Band of Mission Indians of the Viejas Reservation	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.