

CALIFORNIA GAMBLING CONTROL COMMISSION

Address: 2399 Gateway Oaks Drive, Suite 220 • Sacramento, CA 95833-4231
Phone: (916) 263-0700 • FAX: (916) 263-0452

*Memorandum*

DATE: January 26, 2012

TO: Gambling Control Commission

FROM: TINA M. LITTLETON
Executive Director

SUBJECT: Revenue Sharing Trust Fund Report of Distribution of Funds to Eligible Recipient Indian Tribes for the Quarter Ended December 31, 2011

All eligible Tribes will receive a total of \$275,000.00, which consists of \$161,647.39 from license fees and interest income and \$113,352.61 from shortfall funds that have been transferred into the Revenue Sharing Trust Fund (RSTF) from the Special Distribution Fund (SDF) as shown in Exhibit 1.

License fees of \$11,456,337.50 and interest income of \$29,461.76, for a total of \$11,485,799.26, was received into the RSTF for the quarterly period ended December 31, 2011. A portion of the interest income is allocated to previously approved distributions held in the RSTF on behalf of two (2) Tribes in the amount of \$8,834.62. The quarterly amount of the shortfall in payments to all eligible recipient Indian Tribes for the quarter totals \$8,048,035.31.

Staff recommends that the distributions to the California Valley Miwok Tribe for the quarter ended December 31, 2011 be withheld until the U.S. Department of the Interior has made and implemented a final determination regarding the identity of the tribal leadership. In the Miwok matter, Assistant Secretary Echo Hawk has issued a final decision but stayed it pending resolution of a lawsuit under the federal Administrative Procedures Act.

The Commission, at the January 12, 2012 meeting, approved the distribution with interest to the Alturas Indian Rancheria for the previously withheld quarters of March 31, 2010 through September 30, 2011. The amount distributed was \$1,859,410.87. Additional interest due to the Tribe from January 12, 2012 through the actual payment date will be computed and reflected on the next quarterly report.

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 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 three (3) Tribes was \$454,687.50. 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 \$6,404.04 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 December 31, 2011, are summarized in the following Table 1:

Table 1		
Indian Gaming Revenue Sharing Trust Fund License Fee Payment Aging Schedule as of September 30, 2011		
Period(s) in Arrears²	Number of Tribes	Amount of License Fees Due
One (1) Quarter (Section 4.3.2.3)	3	\$454,687.50
Exceeds 30 days after the calendar quarter (Section 4.3.2.2)	0	.00
Totals	3	\$454,687.50

A fund condition statement for the RSTF through December 31, 2011, for the fiscal year 2011-12 is attached as Exhibit 2.

¹ Distribution to the 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 December 31, 2011**

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to December 31, 2011
1	Alturas Indian Rancheria ¹	161,647.39	113,352.61	\$275,000.00	\$11,138,385.42
2	Augustine Band of Cahuilla Indians ²	.00	.00	.00	1,238,385.42
3	Bear River Band of the Rohnerville Rancheria	161,647.39	113,352.61	275,000.00	11,138,385.42
4	Big Lagoon Rancheria	161,647.39	113,352.61	275,000.00	11,138,385.42
5	Big Pine Band of Owens Valley Paiute Shoshone Indians of the Big Pine Reservation	161,647.39	113,352.61	275,000.00	11,138,385.42
6	Big Sandy Rancheria of Mono Indians of California	161,647.39	113,352.61	275,000.00	11,138,385.42
7	Big Valley Band of Pomo Indians of the Big Valley Rancheria	161,647.39	113,352.61	275,000.00	3,850,000.00
8	Blue Lake Rancheria ²	.00	.00	.00	1,788,385.42
9	Bridgeport Paiute Indian Colony of California	161,647.39	113,352.61	275,000.00	11,138,385.42
10	Buena Vista Rancheria of Me-Wuk Indians of California	161,647.39	113,352.61	275,000.00	11,138,385.42
11	Cahto Indian Tribe of the Laytonville Rancheria	161,647.39	113,352.61	275,000.00	11,138,385.42
12	Cahuilla Band of Mission Indians of the Cahuilla Reservation	161,647.39	113,352.61	275,000.00	11,138,385.42
13	California Valley Miwok Tribe ¹	161,647.39	113,352.61	275,000.00	11,138,385.42
14	Campo Band of Diegueno Mission Indians of the Campo Indian Reservation ²	.00	.00	.00	538,034.21
15	Cedarville Rancheria	161,647.39	113,352.61	275,000.00	11,138,385.42
16	Chemehuevi Indian Tribe of the Chemehuevi Reservation	161,647.39	113,352.61	275,000.00	11,138,385.42
17	Cher-Ae Heights Indian Community of the Trinidad Rancheria	161,647.39	113,352.61	275,000.00	11,138,385.42
18	Chicken Ranch Rancheria of Me-Wuk Indians of California	161,647.39	113,352.61	275,000.00	11,138,385.42
19	Cloverdale Rancheria of Pomo Indians of California	161,647.39	113,352.61	275,000.00	11,138,385.42

Exhibit 1**Revenue Sharing Trust Fund Distribution****Total Amount of Distribution for the Quarter Ended December 31, 2011**

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to December 31, 2011
20	Cold Springs Rancheria of Mono Indians of California	161,647.39	113,352.61	275,000.00	11,138,385.42
21	Colorado River Indian Tribes of the Colorado River Indian Reservation	161,647.39	113,352.61	275,000.00	11,138,385.42
22	Cortina Indian Rancheria of Wintun Indians of California	161,647.39	113,352.61	275,000.00	11,138,385.42
23	Coyote Valley Band of Pomo Indians of California	161,647.39	113,352.61	275,000.00	7,150,000.00
24	Death Valley Timbi-Sha Shoshone Band of California	161,647.39	113,352.61	275,000.00	11,138,385.42
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 Rancheria ¹	161,647.39	113,352.61	275,000.00	11,138,385.42
27	Elk Valley Rancheria	161,647.39	113,352.61	275,000.00	11,138,385.42
28	Enterprise Rancheria of Maidu Indians of California	161,647.39	113,352.61	275,000.00	11,138,385.42
29	Ewiiapaayp Band of Kumeyaay Indians	161,647.39	113,352.61	275,000.00	11,138,385.42
30	Federated Indians of Graton Rancheria	161,647.39	113,352.61	275,000.00	10,717,594.03
31	Fort Bidwell Indian Community of the Fort Bidwell Reservation of California	161,647.39	113,352.61	275,000.00	11,138,385.42
32	Fort Independence Indian Community of Paiute Indians of the Fort Independence Reservation	161,647.39	113,352.61	275,000.00	11,138,385.42
33	Fort Mojave Indian Tribe of Arizona, California & Nevada	161,647.39	113,352.61	275,000.00	11,138,385.42
34	Greenville Rancheria of Maidu Indians of California	161,647.39	113,352.61	275,000.00	11,138,385.42
35	Grindstone Indian Rancheria of Wintun-Wailaki Indians of California	161,647.39	113,352.61	275,000.00	11,138,385.42
36	Guidiville Rancheria of California	161,647.39	113,352.61	275,000.00	11,138,385.42
37	Habematolel Pomo of Upper Lake	161,647.39	113,352.61	275,000.00	11,138,385.42

Exhibit 1**Revenue Sharing Trust Fund Distribution****Total Amount of Distribution for the Quarter Ended December 31, 2011**

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to December 31, 2011
38	Hoopa Valley Tribe	161,647.39	113,352.61	275,000.00	11,138,385.42
39	Hopland Band of Pomo Indians of the Hopland Rancheria ²	.00	.00	.00	441,306.53
40	Ilipay Nation of Santa Ysabel	161,647.39	113,352.61	275,000.00	11,138,385.42
41	Inaja Band of Diegueno Mission Indians of the Inaja and Cosmit Reservation	161,647.39	113,352.61	275,000.00	11,138,385.42
42	Ione Band of Miwok Indians of California	161,647.39	113,352.61	275,000.00	11,138,385.42
43	Jamul Indian Village of California	161,647.39	113,352.61	275,000.00	11,138,385.42
44	Karuk Tribe of California	161,647.39	113,352.61	275,000.00	11,138,385.42
45	Kashia Band of Pomo Indians of the Stewarts Point Rancheria	161,647.39	113,352.61	275,000.00	11,138,385.42
46	La Jolla Band of Luiseno Mission Indians of the La Jolla Reservation	161,647.39	113,352.61	275,000.00	11,138,385.42
47	La Posta Band of Diegueno Mission Indians of the La Posta Indian Reservation	161,647.39	113,352.61	275,000.00	11,138,385.42
48	Los Coyotes Band of Cahuilla and Cupeno Indians	161,647.39	113,352.61	275,000.00	11,138,385.42
49	Lower Lake Rancheria	161,647.39	113,352.61	275,000.00	10,717,594.03
50	Lytton Rancheria of California	161,647.39	113,352.61	275,000.00	11,138,385.42
51	Manchester Band of Pomo Indians of the Manchester-Point Arena Rancheria	161,647.39	113,352.61	275,000.00	11,138,385.42
52	Manzanita Band of Diegueno Mission Indians of the Manzanita Reservation	161,647.39	113,352.61	275,000.00	11,138,385.42
53	Mechoopda Indian Tribe of Chico Rancheria	161,647.39	113,352.61	275,000.00	11,138,385.42
54	Mesa Grande Band of Diegueno Mission Indians of the Mesa Grande Reservation	161,647.39	113,352.61	275,000.00	11,138,385.42
55	Middletown Rancheria of Pomo Indians of California ²	.00	.00	.00	482,578.08

Exhibit 1**Revenue Sharing Trust Fund Distribution****Total Amount of Distribution for the Quarter Ended December 31, 2011**

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to December 31, 2011
56	Northfork Rancheria of Mono Indians of California	161,647.39	113,352.61	275,000.00	11,138,385.42
57	Paiute-Shoshone Indians of the Bishop Community of the Bishop Colony	161,647.39	113,352.61	275,000.00	11,138,385.42
58	Paiute-Shoshone Indians of the Lone Pine Community of the Lone Pine Reservation	161,647.39	113,352.61	275,000.00	11,138,385.42
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
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	161,647.39	113,352.61	275,000.00	11,138,385.42
64	Pit River Tribe (includes XL Ranch, Big Bend, Likely, Lookout, Montgomery Creek and Roaring Creek Rancherias)	161,647.39	113,352.61	275,000.00	11,138,385.42
65	Potter Valley Tribe	161,647.39	113,352.61	275,000.00	11,138,385.42
66	Quartz Valley Indian Community of the Quartz Valley Reservation of California	161,647.39	113,352.61	275,000.00	11,138,385.42
67	Quechan Tribe of the Fort Yuma Indian Reservation ²	.00	.00	.00	7,838,385.42
68	Ramona Band of Cahuilla	161,647.39	113,352.61	275,000.00	11,138,385.42
69	Redwood Valley Rancheria of Pomo Indians of California	161,647.39	113,352.61	275,000.00	11,138,385.42
70	Resighini Rancheria	161,647.39	113,352.61	275,000.00	11,138,385.42
71	Rincon Band of Luiseno Mission Indians of the Rincon Reservation ²	.00	.00	.00	441,306.53

Exhibit 1**Revenue Sharing Trust Fund Distribution****Total Amount of Distribution for the Quarter Ended December 31, 2011**

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to December 31, 2011
72	Round Valley Indian Tribes of the Round Valley Reservation	161,647.39	113,352.61	275,000.00	11,138,385.42
73	San Pasqual Band of Diegueno Mission Indians of California ²	.00	.00	.00	482,578.08
74	Santa Rosa Band of Cahuilla Indians	161,647.39	113,352.61	275,000.00	11,138,385.42
75	Scotts Valley Band of Pomo Indians of California	161,647.39	113,352.61	275,000.00	11,138,385.42
76	Sherwood Valley Rancheria of Pomo Indians of California	161,647.39	113,352.61	275,000.00	11,138,385.42
77	Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria (Verona Tract) ²	.00	.00	.00	7,563,385.42
78	Smith River Rancheria	161,647.39	113,352.61	275,000.00	11,138,385.42
79	Susanville Indian Rancheria	161,647.39	113,352.61	275,000.00	11,138,385.42
80	Torres Martinez Desert Cahuilla Indians	161,647.39	113,352.61	275,000.00	11,138,385.42
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	161,647.39	113,352.61	275,000.00	11,138,385.42
84	Washoe Tribe of Nevada & California (Carson Colony, Dresslerville Colony, Woodfords Community, Stewart Community, & Washoe Ranches)	161,647.39	113,352.61	275,000.00	11,138,385.42
85	Wilton Rancheria	161,647.39	113,352.61	275,000.00	2,819,505.49
86	Wiyot Tribe	161,647.39	113,352.61	275,000.00	11,138,385.42
87	Yurok Tribe of the Yurok Reservation	161,647.39	113,352.61	275,000.00	11,138,385.42
	Total	\$11,476,964.69	\$8,048,035.31	\$19,525,000.00	\$797,878,752.30

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

² No longer an eligible 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 Six Months Ended December 31, 2011
Cash Basis

BEGINNING BALANCE	\$ 41,496,982.83
REVENUES AND TRANSFERS	
Revenues:	
150300 Income from surplus money investments	78,171.15
216900 License fees held in trust	23,025,950.00
Transfer from the SDF to the RSTF for shortfall per Item 0855-111-0367, Budget Act of 2011	<u>27,100,000.00</u>
Totals, Revenues	<u>50,204,121.15</u>
Totals, Resources	91,701,103.98
EXPENDITURES	
Disbursements to Eligible Indian Recipient Tribes	37,400,000.00
Disbursements of Previously Held Distributions and Interest to Death Valley Timbi-Sha Shoshone Band of California	1,655,668.75
Disbursements of Previously Held Distribution and Interest to Elem Indian Colony of Pomo Indians of the Sulphur Bank Rancheria	826,773.86
Disbursements of Previously Held Distributions and Interest to Alturas Indian Rancheria	<u>1,932,809.39</u>
Totals, Expenditures	<u>41,815,252.00</u>
FUND BALANCE, prior to distribution	49,885,851.98
Pending distribution	19,250,000.00
Disbursements held on behalf of the California Valley Miwok Tribe pending identification of Tribal government	7,663,001.99
Interest due to Tribes ¹	392,307.25
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	<u>\$ 22,305,542.74</u>

Footnotes:

¹ Accrued interest on previously held distributions in the amount of \$392,307.25 as of Quarter Ending December 31, 2011 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 through the Quarter Ending December 31, 2011**

	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	\$1,000,000.00	\$12,327,953.20
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	368,175.00	8,560,825.27
5	Bear River Band of the Rohnerville Rancheria	0.00	0.00
6	Berry Creek Rancheria of Maidu Indians of California	32,400.00	1,066,270.68
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	22,500.00	523,171.23
9	Blue Lake Rancheria	0.00	566,250.00
10	Buena Vista Rancheria of Me-Wuk Indians of California	0.00	0.00 ¹
11	Cabazon Band of Mission Indians	687,075.00	12,042,094.41
12	Cachil DeHe Band of Wintun Indians of the Colusa Indian Community of the Colusa Rancheria	0.00	937,500.00
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	523,171.23
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	667,500.00	15,520,746.58
20	Elem Indian Colony of Pomo Indians of the Sulphur Bank Rancheria	0.00	0.00

Exhibit 3**Revenue Sharing Trust Fund****Amount of Revenue from Each Compact Tribe Received by the Commission through the Quarter Ending December 31, 2011**

	Compact Tribe	Revenue Received Fiscal Year to Date	Revenue Received Inception to Date
21	Elk Valley Rancheria	0.00	62,500.00
22	Ewiiapaayp Band of Kumeyaay Indians	0.00	2,437,433.22
23	Hoopa Valley Tribe	0.00	0.00
24	Hopland Band of Pomo Indians of the Hopland Rancheria	0.00	3,368,042.68
25	Jackson Rancheria of Me-Wuk Indians of California	511,500.00	9,621,316.36
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	437,500.00
31	Mooretown Rancheria of Maidu Indians of California	121,875.00	2,045,021.26
32	Morongo Band of Mission Indians	1,000,000.00	7,462,104.14
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	1,000,000.00	27,375,896.37
35	Paskenta Band of Nomlaki Indians of California	25,000.00	612,500.00
36	Pauma Band of Luiseno Mission Indians of the Pauma & Yuima Reservation	157,500.00	5,904,911.71
37	Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation	1,000,000.00	9,506,120.11
38	Picayune Rancheria of Chukchansi Indians of California	1,537,500.00	25,582,119.86
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	78,750.00	1,760,147.64

Exhibit 3**Revenue Sharing Trust Fund****Amount of Revenue from Each Compact Tribe Received by the Commission through the Quarter Ending December 31, 2011**

	Compact Tribe	Revenue Received Fiscal Year to Date	Revenue Received Inception to Date
42	Resighini Rancheria	0.00	0.00
43	Rincon Band of Luiseno Mission Indians of the Rincon Reservation	1,537,500.00	20,186,979.46
44	Robinson Rancheria of Pomo Indians of California	0.00	337,500.00
45	San Manuel Band of Mission Indians	1,000,000.00	14,298,240.41
46	San Pasqual Band of Diegueno Mission Indians of California	1,537,500.00	18,283,366.84
47	Santa Rosa Indian Community of the Santa Rosa Rancheria	1,272,150.00	29,580,101.51
48	Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation	657,750.00	15,294,039.04
49	Sherwood Valley Rancheria of Pomo Indians of California	0.00	0.00
50	Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria (Verona Tract)	2,300,000.00	13,881,194.25
51	Smith River Rancheria	0.00	0.00
52	Soboba Band of Luiseno Indians	432,525.00	9,481,555.59
53	Susanville Indian Rancheria	0.00	0.00
54	Sycuan Band of the Kumeyaay Nation	1,169,925.00	27,203,160.21
55	Table Mountain Rancheria of California	584,625.00	13,593,732.53
56	Tule River Indian Tribe of the Tule River Reservation	357,450.00	9,415,974.04
57	Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California	277,500.00	2,910,878.02
58	Twenty-Nine Palms Band of Mission Indians of California	689,250.00	16,026,478.77
59	United Auburn Indian Community of the Auburn Rancheria of California	1,000,000.00	19,950,312.20
60	Viejas (Baron Long) Group of Capitan Grande Band of Mission Indians of the Viejas Reservation	1,000,000.00	16,694,230.34
61	Yocha Dehe Wintun Nation	1,000,000.00	18,137,524.18
	Totals	\$23,025,950.00	\$394,581,363.34
	Interest	78,171.15	8,989,444.24
	Grand Totals	\$23,104,121.15	\$403,570,807.58

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.