

CALIFORNIA GAMBLING CONTROL COMMISSION

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*Memorandum*

DATE: April 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 March 31, 2012

All eligible Tribes will receive a total of \$275,000.00, which consists of \$158,128.42 from license fees and interest income and \$116,871.58 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 \$11,370,348.46 and interest income of \$22,068.16, for a total of \$11,392,416.64, was received into the RSTF for the quarterly period ended March 31, 2012. 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 \$7,170.16. The quarterly amount of the shortfall in payments to all eligible recipient Indian Tribes for the quarter totals \$8,399,643.76.

Staff continues to recommend that the distributions to the California Valley Miwok Tribe for the quarter ended March 31, 2012 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 United States Department of the Interior confirmed that the Tejon Indian Tribe is a federally recognized Indian Tribe in California on January 6, 2012. Staff recommends that the Tejon Indian Tribe receive a prorata share of the quarterly distribution from January 6 through March 31, 2012 in the amount of \$259,890.00.

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)¹ of the eighty-eight

(88) 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 four (4) Tribes was \$456,428.77. 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 \$6,339.28 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 March 31, 2012, are summarized in the following

Table 1:

Table 1		
Indian Gaming Revenue Sharing Trust Fund License Fee Payment Aging Schedule as of March 31, 2012		
Period(s) in Arrears²	Number of Tribes	Amount of License Fees Due
One (1) Quarter (Section 4.3.2.3)	4	\$456,428.77
Exceeds 30 days after the calendar quarter (Section 4.3.2.2)	0	.00
Totals	4	\$456,428.77

A fund condition statement for the RSTF through March 31, 2012, 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 March 31, 2012**

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to March 31, 2012
1	Alturas Indian Rancheria ¹	158,128.42	116,871.58	\$275,000.00	\$11,413,385.42
2	Augustine Band of Cahuilla Indians ²	.00	.00	.00	1,238,385.42
3	Bear River Band of the Rohnerville Rancheria	158,128.42	116,871.58	275,000.00	11,413,385.42
4	Big Lagoon Rancheria	158,128.42	116,871.58	275,000.00	11,413,385.42
5	Big Pine Band of Owens Valley Paiute Shoshone Indians of the Big Pine Reservation	158,128.42	116,871.58	275,000.00	11,413,385.42
6	Big Sandy Rancheria of Mono Indians of California	158,128.42	116,871.58	275,000.00	11,413,385.42
7	Big Valley Band of Pomo Indians of the Big Valley Rancheria	158,128.42	116,871.58	275,000.00	4,125,000.00
8	Blue Lake Rancheria ²	.00	.00	.00	1,788,385.42
9	Bridgeport Paiute Indian Colony of California	158,128.42	116,871.58	275,000.00	11,413,385.42
10	Buena Vista Rancheria of Me-Wuk Indians of California	158,128.42	116,871.58	275,000.00	11,413,385.42
11	Cahto Indian Tribe of the Laytonville Rancheria	158,128.42	116,871.58	275,000.00	11,413,385.42
12	Cahuilla Band of Mission Indians of the Cahuilla Reservation	158,128.42	116,871.58	275,000.00	11,413,385.42
13	California Valley Miwok Tribe ¹	158,128.42	116,871.58	275,000.00	11,413,385.42
14	Campo Band of Diegueno Mission Indians of the Campo Indian Reservation ²	.00	.00	.00	538,034.21
15	Cedarville Rancheria	158,128.42	116,871.58	275,000.00	11,413,385.42
16	Chemehuevi Indian Tribe of the Chemehuevi Reservation	158,128.42	116,871.58	275,000.00	11,413,385.42
17	Cher-Ae Heights Indian Community of the Trinidad Rancheria	158,128.42	116,871.58	275,000.00	11,413,385.42
18	Chicken Ranch Rancheria of Me-Wuk Indians of California	158,128.42	116,871.58	275,000.00	11,413,385.42
19	Cloverdale Rancheria of Pomo Indians of California	158,128.42	116,871.58	275,000.00	11,413,385.42

Exhibit 1**Revenue Sharing Trust Fund Distribution****Total Amount of Distribution for the Quarter Ended March 31, 2012**

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to March 31, 2012
20	Cold Springs Rancheria of Mono Indians of California	158,128.42	116,871.58	275,000.00	11,413,385.42
21	Colorado River Indian Tribes of the Colorado River Indian Reservation	158,128.42	116,871.58	275,000.00	11,413,385.42
22	Cortina Indian Rancheria of Wintun Indians of California	158,128.42	116,871.58	275,000.00	11,413,385.42
23	Coyote Valley Band of Pomo Indians of California	158,128.42	116,871.58	275,000.00	7,425,000.00
24	Death Valley Timbi-Sha Shoshone Band of California	158,128.42	116,871.58	275,000.00	11,413,385.42
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	158,128.42	116,871.58	275,000.00	11,413,385.42
27	Elk Valley Rancheria	158,128.42	116,871.58	275,000.00	11,413,385.42
28	Enterprise Rancheria of Maidu Indians of California	158,128.42	116,871.58	275,000.00	11,413,385.42
29	Ewiiapaayp Band of Kumeyaay Indians	158,128.42	116,871.58	275,000.00	11,413,385.42
30	Federated Indians of Graton Rancheria	158,128.42	116,871.58	275,000.00	10,992,594.03
31	Fort Bidwell Indian Community of the Fort Bidwell Reservation of California	158,128.42	116,871.58	275,000.00	11,413,385.42
32	Fort Independence Indian Community of Paiute Indians of the Fort Independence Reservation	158,128.42	116,871.58	275,000.00	11,413,385.42
33	Fort Mojave Indian Tribe of Arizona, California & Nevada	158,128.42	116,871.58	275,000.00	11,413,385.42
34	Greenville Rancheria of Maidu Indians of California	158,128.42	116,871.58	275,000.00	11,413,385.42
35	Grindstone Indian Rancheria of Wintun-Wailaki Indians of California	158,128.42	116,871.58	275,000.00	11,413,385.42
36	Guidiville Rancheria of California	158,128.42	116,871.58	275,000.00	11,413,385.42
37	Habematolel Pomo of Upper Lake	158,128.42	116,871.58	275,000.00	11,413,385.42

Exhibit 1**Revenue Sharing Trust Fund Distribution****Total Amount of Distribution for the Quarter Ended March 31, 2012**

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to March 31, 2012
38	Hoopla Valley Tribe	158,128.42	116,871.58	275,000.00	11,413,385.42
39	Hopland Band of Pomo Indians of the Hopland Rancheria ²	.00	.00	.00	441,306.53
40	Ilipay Nation of Santa Ysabel	158,128.42	116,871.58	275,000.00	11,413,385.42
41	Inaja Band of Diegueno Mission Indians of the Inaja and Cosmit Reservation	158,128.42	116,871.58	275,000.00	11,413,385.42
42	Ione Band of Miwok Indians of California	158,128.42	116,871.58	275,000.00	11,413,385.42
43	Jamul Indian Village of California	158,128.42	116,871.58	275,000.00	11,413,385.42
44	Karuk Tribe of California	158,128.42	116,871.58	275,000.00	11,413,385.42
45	Kashia Band of Pomo Indians of the Stewarts Point Rancheria	158,128.42	116,871.58	275,000.00	11,413,385.42
46	La Jolla Band of Luiseno Mission Indians of the La Jolla Reservation	158,128.42	116,871.58	275,000.00	11,413,385.42
47	La Posta Band of Diegueno Mission Indians of the La Posta Indian Reservation	158,128.42	116,871.58	275,000.00	11,413,385.42
48	Los Coyotes Band of Cahuilla and Cupeno Indians	158,128.42	116,871.58	275,000.00	11,413,385.42
49	Lower Lake Rancheria	158,128.42	116,871.58	275,000.00	10,992,594.03
50	Lytton Rancheria of California	158,128.42	116,871.58	275,000.00	11,413,385.42
51	Manchester Band of Pomo Indians of the Manchester-Point Arena Rancheria	158,128.42	116,871.58	275,000.00	11,413,385.42
52	Manzanita Band of Diegueno Mission Indians of the Manzanita Reservation	158,128.42	116,871.58	275,000.00	11,413,385.42
53	Mechoopda Indian Tribe of Chico Rancheria	158,128.42	116,871.58	275,000.00	11,413,385.42
54	Mesa Grande Band of Diegueno Mission Indians of the Mesa Grande Reservation	158,128.42	116,871.58	275,000.00	11,413,385.42
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 March 31, 2012**

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to March 31, 2012
56	Northfork Rancheria of Mono Indians of California	158,128.42	116,871.58	275,000.00	11,413,385.42
57	Paiute-Shoshone Indians of the Bishop Community of the Bishop Colony	158,128.42	116,871.58	275,000.00	11,413,385.42
58	Paiute-Shoshone Indians of the Lone Pine Community of the Lone Pine Reservation	158,128.42	116,871.58	275,000.00	11,413,385.42
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	158,128.42	116,871.58	275,000.00	11,413,385.42
64	Pit River Tribe (includes XL Ranch, Big Bend, Likely, Lookout, Montgomery Creek and Roaring Creek Rancherias)	158,128.42	116,871.58	275,000.00	11,413,385.42
65	Potter Valley Tribe	158,128.42	116,871.58	275,000.00	11,413,385.42
66	Quartz Valley Indian Community of the Quartz Valley Reservation of California	158,128.42	116,871.58	275,000.00	11,413,385.42
67	Quechan Tribe of the Fort Yuma Indian Reservation ²	.00	.00	.00	7,838,385.42
68	Ramona Band of Cahuilla	158,128.42	116,871.58	275,000.00	11,413,385.42
69	Redwood Valley Rancheria of Pomo Indians of California	158,128.42	116,871.58	275,000.00	11,413,385.42
70	Resighini Rancheria	158,128.42	116,871.58	275,000.00	11,413,385.42
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 March 31, 2012**

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to March 31, 2012
72	Round Valley Indian Tribes of the Round Valley Reservation	158,128.42	116,871.58	275,000.00	11,413,385.42
73	San Pasqual Band of Diegueno Mission Indians of California ²	.00	.00	.00	482,578.08
74	Santa Rosa Band of Cahuilla Indians	158,128.42	116,871.58	275,000.00	11,413,385.42
75	Scotts Valley Band of Pomo Indians of California	158,128.42	116,871.58	275,000.00	11,413,385.42
76	Sherwood Valley Rancheria of Pomo Indians of California	158,128.42	116,871.58	275,000.00	11,413,385.42
77	Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria (Verona Tract) ²	.00	.00	.00	7,563,385.42
78	Smith River Rancheria	158,128.42	116,871.58	275,000.00	11,413,385.42
79	Susanville Indian Rancheria	158,128.42	116,871.58	275,000.00	11,413,385.42
80	Tejon Indian Tribe	158,128.42	101,761.58	259,890.00	259,890.00
81	Torres Martinez Desert Cahuilla Indians	158,128.42	116,871.58	275,000.00	11,413,385.42
82	Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California ²	.00	.00	.00	482,578.08
83	United Auburn Indian Community of the Auburn Rancheria of California ²	.00	.00	.00	1,513,385.42
84	Utu Utu Gwaitu Paiute Tribe of the Benton Paiute Reservation	158,128.42	116,871.58	275,000.00	11,413,385.42
85	Washoe Tribe of Nevada & California (Carson Colony, Dresslerville Colony, Woodfords Community, Stewart Community, & Washoe Ranches)	158,128.42	116,871.58	275,000.00	11,413,385.42
86	Wilton Rancheria	158,128.42	116,871.58	275,000.00	3,094,505.49
87	Wiyot Tribe	158,128.42	116,871.58	275,000.00	11,413,385.42
88	Yurok Tribe of the Yurok Reservation	158,128.42	116,871.58	275,000.00	11,413,385.42
	Total	\$11,385,246.24	\$8,399,643.76	\$19,784,890.00	\$817,663,642.30

Footnotes:

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 Nine Months Ended March 31, 2012
Cash Basis

BEGINNING BALANCE	\$ 41,496,982.83
REVENUES AND TRANSFERS	
Revenues:	
150300 Income from surplus money investments	100,239.33
216900 License fees held in trust	34,396,298.46
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>61,596,537.79</u>
Totals, Resources	103,093,520.62
EXPENDITURES	
Disbursements to Eligible Indian Recipient Tribes	56,650,000.00
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>1,932,924.44</u>
Totals, Expenditures	<u>61,065,367.05</u>
FUND BALANCE, prior to distribution	42,028,153.57
Pending distribution	19,509,890.00
Disbursements held on behalf of the California Valley Miwok Tribe pending identification of Tribal government	7,938,001.99
Interest due to Tribes ¹	399,362.36
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>\$ 13,905,899.22</u>

Footnotes:

¹ Accrued interest on previously held distributions in the amount of \$399,362.36 as of Quarter Ending March 31, 2012 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 March 31, 2012**

	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	\$1,500,000.00	\$12,827,953.20
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	552,262.50	8,744,912.77
5	Bear River Band of the Rohnerville Rancheria	0.00	0.00
6	Berry Creek Rancheria of Maidu Indians of California	64,800.00	1,098,670.68
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	33,750.00	534,421.23
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	1,030,612.50	12,385,631.91
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	22,500.00	545,671.23
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	1,001,250.00	15,854,496.58
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 March 31, 2012**

	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	767,250.00	9,877,066.36
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	145,235.96	2,068,382.22
32	Morongo Band of Mission Indians	1,500,000.00	7,962,104.14
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	1,500,000.00	27,875,896.37
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	236,250.00	5,983,661.71
37	Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation	1,500,000.00	10,006,120.11
38	Picayune Rancheria of Chukchansi Indians of California	2,197,500.00	26,242,119.86
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	95,625.00	1,777,022.64

Exhibit 3**Revenue Sharing Trust Fund****Amount of Revenue from Each Compact Tribe Received by the Commission through the Quarter Ending March 31, 2012**

	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	2,306,250.00	20,955,729.46
44	Robinson Rancheria of Pomo Indians of California	0.00	337,500.00
45	San Manuel Band of Mission Indians	1,500,000.00	14,798,240.41
46	San Pasqual Band of Diegueno Mission Indians of California	2,306,250.00	19,052,116.84
47	Santa Rosa Indian Community of the Santa Rosa Rancheria	1,908,225.00	30,216,176.51
48	Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation	986,625.00	15,622,914.04
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)	3,450,000.00	15,031,194.25
51	Smith River Rancheria	0.00	0.00
52	Soboba Band of Luiseno Indians	648,787.50	9,697,818.09
53	Susanville Indian Rancheria	0.00	0.00
54	Sycuan Band of the Kumeyaay Nation	1,754,887.50	27,788,122.71
55	Table Mountain Rancheria of California	876,937.50	13,886,045.03
56	Tule River Indian Tribe of the Tule River Reservation	536,175.00	9,594,699.04
57	Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California	416,250.00	3,049,628.02
58	Twenty-Nine Palms Band of Mission Indians of California	1,033,875.00	16,371,103.77
59	United Auburn Indian Community of the Auburn Rancheria of California	1,500,000.00	20,450,312.20
60	Viejas (Baron Long) Group of Capitan Grande Band of Mission Indians of the Viejas Reservation	1,500,000.00	17,194,230.34
61	Yocha Dehe Wintun Nation	1,500,000.00	18,637,524.18
	Totals	\$34,396,298.46	\$405,951,711.80
	Interest	100,239.33	9,011,512.42
	Grand Totals	\$34,496,537.79	\$414,963,224.22

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.