

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: July 25, 2013

TO: Chairman Lopes
Commissioner Conklin
Commissioner Hammond
Commissioner Schuetz

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 June 30, 2013

All eligible Tribes will allocated a total of \$275,000.00, which consists of \$151,280.70 from license fees and interest income and \$123,719.30 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 \$11,018,925.00 and interest income of \$30,051.64, for a total of \$11,048,976.64, was received into the RSTF for the quarterly period ended June 30, 2013. A portion of the interest income is allocated to previously approved distributions held in the RSTF on behalf of one (1) Tribe in the amount of \$5,485.69. The quarterly amount of the shortfall in payments to all eligible recipient Indian Tribes for the quarter totals \$9,031,508.90.

Staff recommends that the distribution to the California Valley Miwok Tribe be allocated but withheld. The issue of whether the Assistant Secretary's decision to recognize the five members of the Sylvia Burley faction as the tribe was valid is still pending resolution before the U.S. District Court for the District of Columbia which could issue a decision at any time.

Staff also recommends that the funds allocated to lipay Nation of Santa Ysabel be distributed to Yavapai-Apache Nation pursuant to an order from Sacramento County Superior Court.

A listing of the amount of revenue received from each Compact Tribe is attached as Exhibit 2. The receipts are equally distributed to seventy-three (73)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 two (2) Tribes was \$527,625.00. 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 \$7,227.74 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 June 30, 2013, are summarized in the following Table 1:

Table 1		
Indian Gaming Revenue Sharing Trust Fund License Fee Payment Aging Schedule as of June 30, 2013		
Period(s) in Arrears²	Number of Tribes	Amount of License Fees Due
One (1) Quarter (Section 4.3.2.3)	2	\$527,625.00
Exceeds 30 days after the calendar quarter (Section 4.3.2.2)	0	.00
Totals	2	\$527,625.00

A fund condition statement for the RSTF through June 30, 2013, for the fiscal year 2012-13 is attached as Exhibit 3.

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.

Attachments:

- Exhibit 1 – RSTF Distribution List
- Exhibit 2 – RSTF Received From Compacted Tribes
- Exhibit 3 – RSTF Fund Condition Statement

Exhibit 1**Revenue Sharing Trust Fund Distribution****Total Amount of Distribution for the Quarter Ended June 30, 2013**

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to June 30, 2013
1	Alturas Indian Rancheria ¹	151,280.70	123,719.30	\$275,000.00	\$12,788,385.42
2	Augustine Band of Cahuilla Indians ²	.00	.00	.00	1,238,385.42
3	Bear River Band of the Rohnerville Rancheria	151,280.70	123,719.30	275,000.00	12,788,385.42
4	Big Lagoon Rancheria	151,280.70	123,719.30	275,000.00	12,788,385.42
5	Big Pine Paiute Tribe of the Owens Valley	151,280.70	123,719.30	275,000.00	12,788,385.42
6	Big Sandy Rancheria of Western Mono Indians of California	151,280.70	123,719.30	275,000.00	12,788,385.42
7	Big Valley Band of Pomo Indians of the Big Valley Rancheria	151,280.70	123,719.30	275,000.00	5,500,000.00
8	Bishop Paiute Tribe	151,280.70	123,719.30	275,000.00	12,788,385.42
9	Blue Lake Rancheria ²	.00	.00	.00	1,788,385.42
10	Bridgeport Indian Colony	151,280.70	123,719.30	275,000.00	12,788,385.42
11	Buena Vista Rancheria of Me-Wuk Indians of California	151,280.70	123,719.30	275,000.00	12,788,385.42
12	Cahto Tribe	151,280.70	123,719.30	275,000.00	12,788,385.42
13	Cahuilla Band of Mission Indians of the Cahuilla Reservation	151,280.70	123,719.30	275,000.00	12,788,385.42
14	California Valley Miwok Tribe ¹	151,280.70	123,719.30	275,000.00	12,788,385.42
15	Campo Band of Diegueno Mission Indians of the Campo Indian Reservation ²	.00	.00	.00	538,034.21
16	Cedarville Rancheria	151,280.70	123,719.30	275,000.00	12,788,385.42
17	Chemehuevi Indian Tribe of the Chemehuevi Reservation	151,280.70	123,719.30	275,000.00	12,788,385.42
18	Cher-Ae Heights Indian Community of the Trinidad Rancheria	151,280.70	123,719.30	275,000.00	12,788,385.42
19	Chicken Ranch Rancheria of Me-Wuk Indians of California	151,280.70	123,719.30	275,000.00	12,788,385.42
20	Cloverdale Rancheria of Pomo Indians of California	151,280.70	123,719.30	275,000.00	12,788,385.42
21	Cold Springs Rancheria of Mono Indians of California	151,280.70	123,719.30	275,000.00	12,788,385.42

Exhibit 1**Revenue Sharing Trust Fund Distribution****Total Amount of Distribution for the Quarter Ended June 30, 2013**

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to June 30, 2013
22	Colorado River Indian Tribes of the Colorado River Indian Reservation	151,280.70	123,719.30	275,000.00	12,788,385.42
23	Cortina Indian Rancheria of Wintun Indians of California	151,280.70	123,719.30	275,000.00	12,788,385.42
24	Coyote Valley Reservation	151,280.70	123,719.30	275,000.00	8,800,000.00
25	Death Valley Timbi-Sha Shoshone Tribe	151,280.70	123,719.30	275,000.00	12,788,385.42
26	Dry Creek Rancheria of Pomo Indians of California ²	.00	.00	.00	1,513,385.42
27	Elem Indian Colony of Pomo Indians of the Sulphur Bank Rancheria ¹	151,280.70	123,719.30	275,000.00	12,788,385.42
28	Elk Valley Rancheria	151,280.70	123,719.30	275,000.00	12,788,385.42
29	Enterprise Rancheria of Maidu Indians of California	151,280.70	123,719.30	275,000.00	12,788,385.42
30	Ewiiapaayp Band of Kumeyaay Indians	151,280.70	123,719.30	275,000.00	12,788,385.42
31	Federated Indians of Graton Rancheria	151,280.70	123,719.30	275,000.00	12,788,385.42
32	Fort Bidwell Indian Community of the Fort Bidwell Reservation of California	151,280.70	123,719.30	275,000.00	12,367,594.03
33	Fort Independence Indian Community of Paiute Indians of the Fort Independence Reservation	151,280.70	123,719.30	275,000.00	12,788,385.42
34	Fort Mojave Indian Tribe of Arizona, California & Nevada	151,280.70	123,719.30	275,000.00	12,788,385.42
35	Greenville Rancheria	151,280.70	123,719.30	275,000.00	12,788,385.42
36	Grindstone Indian Rancheria of Wintun-Wailaki Indians of California	151,280.70	123,719.30	275,000.00	12,788,385.42
37	Guidiville Rancheria of California	151,280.70	123,719.30	275,000.00	12,788,385.42
38	Habematolel Pomo of Upper Lake	151,280.70	123,719.30	275,000.00	12,788,385.42
39	Hoopla Valley Tribe	151,280.70	123,719.30	275,000.00	12,788,385.42
40	Hopland Band of Pomo Indians of the Hopland Rancheria ²	151,280.70	123,719.30	275,000.00	716,306.53

Exhibit 1**Revenue Sharing Trust Fund Distribution****Total Amount of Distribution for the Quarter Ended June 30, 2013**

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to June 30, 2013
41	Iipay Nation of Santa Ysabel ¹	151,280.70	123,719.30	275,000.00	12,788,385.42
42	Inaja Band of Diegueno Mission Indians of the Inaja and Cosmit Reservation	151,280.70	123,719.30	275,000.00	12,788,385.42
43	Ione Band of Miwok Indians of California	151,280.70	123,719.30	275,000.00	12,788,385.42
44	Jamul Indian Village of California	151,280.70	123,719.30	275,000.00	12,788,385.42
45	Karuk Tribe of California	151,280.70	123,719.30	275,000.00	12,788,385.42
46	Kashia Band of Pomo Indians of the Stewarts Point Rancheria	151,280.70	123,719.30	275,000.00	12,788,385.42
47	La Jolla Band of Luiseno Indians	151,280.70	123,719.30	275,000.00	12,788,385.42
48	La Posta Band of Diegueno Mission Indians of the La Posta Indian Reservation	151,280.70	123,719.30	275,000.00	12,788,385.42
49	Lone Pine Paiute-Shoshone Tribe	151,280.70	123,719.30	275,000.00	12,788,385.42
50	Los Coyotes Band of Cahuilla and Cupeno Indians	151,280.70	123,719.30	275,000.00	12,788,385.42
51	Lower Lake Rancheria	151,280.70	123,719.30	275,000.00	12,367,594.03
52	Lytton Rancheria of California	151,280.70	123,719.30	275,000.00	12,788,385.42
53	Manchester Band of Pomo Indians of the Manchester Rancheria	151,280.70	123,719.30	275,000.00	12,788,385.42
54	Manzanita Band of Diegueno Mission Indians of the Manzanita Reservation	151,280.70	123,719.30	275,000.00	12,788,385.42
55	Mechoopda Indian Tribe of Chico Rancheria	151,280.70	123,719.30	275,000.00	12,788,385.42
56	Mesa Grande Band of Diegueno Mission Indians of the Mesa Grande Reservation	151,280.70	123,719.30	275,000.00	12,788,385.42
57	Middletown Rancheria of Pomo Indians of California ²	.00	.00	.00	482,578.08
58	Northfork Rancheria of Mono Indians of California	151,280.70	123,719.30	275,000.00	12,788,385.42

Exhibit 1**Revenue Sharing Trust Fund Distribution****Total Amount of Distribution for the Quarter Ended June 30, 2013**

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to June 30, 2013
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	151,280.70	123,719.30	275,000.00	12,788,385.42
64	Pit River Tribe (includes XL Ranch, Big Bend, Likely, Lookout, Montgomery Creek and Roaring Creek Rancherias)	151,280.70	123,719.30	275,000.00	12,788,385.42
65	Potter Valley Tribe	151,280.70	123,719.30	275,000.00	12,788,385.42
66	Quartz Valley Indian Community of the Quartz Valley Reservation of California	151,280.70	123,719.30	275,000.00	12,788,385.42
67	Quechan Tribe of the Fort Yuma Indian Reservation ²	.00	.00	.00	7,838,385.42
68	Ramona Band of Cahuilla	151,280.70	123,719.30	275,000.00	12,788,385.42
69	Redwood Valley or Little River Band of Pomo Indians of the Redwood Valley Rancheria California	151,280.70	123,719.30	275,000.00	12,788,385.42
70	Resighini Rancheria	151,280.70	123,719.30	275,000.00	12,788,385.42
71	Rincon Band of Luiseno Mission Indians of the Rincon Reservation ²	.00	.00	.00	441,306.53
72	Round Valley Indian Tribes, Round Valley Reservation	151,280.70	123,719.30	275,000.00	12,788,385.42
73	San Pasqual Band of Diegueno Mission Indians of California ²	.00	.00	.00	482,578.08
74	Santa Rosa Band of Cahuilla Indians	151,280.70	123,719.30	275,000.00	12,788,385.42

Exhibit 1**Revenue Sharing Trust Fund Distribution****Total Amount of Distribution for the Quarter Ended June 30, 2013**

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to June 30, 2013
75	Scotts Valley Band of Pomo Indians of California	151,280.70	123,719.30	275,000.00	12,788,385.42
76	Sherwood Valley Rancheria of Pomo Indians of California	151,280.70	123,719.30	275,000.00	12,788,385.42
77	Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria (Verona Tract) ²	.00	.00	.00	7,563,385.42
78	Smith River Rancheria	151,280.70	123,719.30	275,000.00	12,788,385.42
79	Susanville Indian Rancheria	151,280.70	123,719.30	275,000.00	12,788,385.42
80	Tejon Indian Tribe	161,703.78	123,719.30	275,000.00	1,634,890.00
81	Torres Martinez Desert Cahuilla Indians	151,280.70	123,719.30	275,000.00	12,788,385.42
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	151,280.70	123,719.30	275,000.00	12,788,385.42
85	Washoe Tribe of Nevada & California (Carson Colony, Dresslerville Colony, Woodfords Community, Stewart Community, & Washoe Ranches)	151,280.70	123,719.30	275,000.00	12,788,385.42
86	Wilton Rancheria	151,280.70	123,719.30	275,000.00	4,469,505.49
87	Wiyot Tribe	151,280.70	123,719.30	275,000.00	12,788,385.42
88	Yurok Tribe of the Yurok Reservation	151,280.70	123,719.30	275,000.00	12,788,385.42
	Total	\$11,043,491.10	\$9,031,508.90	\$20,075,000.00	\$916,938,642.30

Footnotes:

¹ Distribution to the 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**Revenue Sharing Trust Fund****Amount of Revenue from Each Compact Tribe Received by the Commission through the Quarter Ending June 30, 2013**

	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	\$2,000,000.00	\$15,327,953.20
2	Alturas Indian Rancheria	0.00	375,000.00
3	Augustine Band of Cahuilla Indians	90,000.00	676,741.27
4	Barona Group of Capitan Grande Band of Mission Indians of the Barona Reservation	552,262.50	9,481,262.77
5	Bear River Band of the Rohnerville Rancheria	0.00	0.00
6	Berry Creek Rancheria of Maidu Indians of California	162,000.00	1,293,070.68
7	Big Sandy Rancheria of Western Mono Indians of California	0.00	0.00 ¹
8	Big Valley Band of Pomo Indians of the Big Valley Rancheria	45,000.00	590,671.23
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	1,374,150.00	14,103,319.41
12	Cachil DeHe Band of Wintun Indians of the Colusa Indian Community of the Colusa Rancheria	360,000.00	1,345,808.22
13	Cahto Tribe	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	45,000.00	590,671.23
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	1,042,500.00	17,230,746.58
20	Elem Indian Colony of Pomo Indians of the Sulphur Bank Rancheria	0.00	0.00

Exhibit 2**Revenue Sharing Trust Fund****Amount of Revenue from Each Compact Tribe Received by the Commission through the Quarter Ending June 30, 2013**

	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	1,218,525.50	11,351,341.86
26	Jamul Indian Village of California	0.00	0.00
27	La Jolla Band of Luiseno Indians	0.00	0.00
28	Manchester Band of Pomo Indians of the Manchester 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	131,000.00	2,237,132.22
32	Morongo Band of Mission Indians	2,000,000.00	10,462,104.14
33	Bishop Paiute Tribe	0.00	0.00
34	Pala Band of Luiseno Mission Indians of the Pala Reservation	2,000,000.00	30,375,896.37
35	Paskenta Band of Nomlaki Indians of California	126,000.00	746,523.48
36	Pauma Band of Luiseno Mission Indians of the Pauma & Yuima Reservation	393,750.00	6,456,161.71
37	Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation	2,000,000.00	12,506,120.11
38	Picayune Rancheria of Chukchansi Indians of California	2,205,000.00	28,998,369.86
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	67,500.00	1,844,522.64
42	Resighini Rancheria	0.00	0.00

Exhibit 2**Revenue Sharing Trust Fund****Amount of Revenue from Each Compact Tribe Received by the Commission through the Quarter Ending June 30, 2013**

	Compact Tribe	Revenue Received Fiscal Year to Date	Revenue Received Inception to Date
43	Rincon Band of Luiseno Mission Indians of the Rincon Reservation	2,648,700.00	24,373,179.46
44	Robinson Rancheria of Pomo Indians of California	0.00	337,500.00
45	San Manuel Band of Mission Indians	2,000,000.00	17,298,240.41
46	San Pasqual Band of Diegueno Mission Indians of California	3,075,000.00	22,895,866.84
47	Santa Rosa Indian Community of the Santa Rosa Rancheria	2,544,300.00	33,396,551.51
48	Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation	1,315,500.00	17,267,289.04
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)	4,600,000.00	20,781,194.25
51	Smith River Rancheria	0.00	0.00
52	Soboba Band of Luiseno Indians	865,050.00	10,779,130.59
53	Susanville Indian Rancheria	0.00	0.00
54	Sycuan Band of the Kumeyaay Nation	2,339,850.00	30,712,935.21
55	Table Mountain Rancheria of California	1,169,250.00	15,347,607.53
56	Tule River Indian Tribe of the Tule River Reservation	714,900.00	10,488,324.04
57	Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California	730,705.00	3,919,083.02
58	Twenty-Nine Palms Band of Mission Indians of California	1,378,500.00	18,094,228.77
59	United Auburn Indian Community of the Auburn Rancheria of California	2,000,000.00	22,950,312.20
60	Viejas (Baron Long) Group of Capitan Grande Band of Mission Indians of the Viejas Reservation	2,000,000.00	19,694,230.34
61	Yocha Dehe Wintun Nation	2,000,000.00	21,137,524.18
	Totals	\$45,194,443.00	\$462,463,340.27
	Interest	183,358.49	9,207,623.39
	Grand Totals	\$45,377,801.49	\$471,670,963.66

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.

EXHIBIT 3
CALIFORNIA GAMBLING CONTROL COMMISSION
0366 - INDIAN GAMING REVENUE SHARING TRUST FUND
FUND CONDITION STATEMENT
For the Year Ended June 30, 2013
Cash Basis

BEGINNING BALANCE	\$	33,848,201.52
REVENUES AND TRANSFERS		
Revenues:		
150300 Income from surplus money investments		183,358.49
216900 License fees held in trust		45,194,443.00
Transfer from the SDF to the RSTF for shortfall per Item 0855-111-0367, Budget Act of 2012		33,500,000.00
Totals, Revenues		78,877,801.49
Totals, Resources		112,726,003.01
EXPENDITURES		
Disbursements to Eligible Indian Recipient Tribes		77,275,000.00
Disbursements of Previously Held Distributions and Interest to lipay Nation of Santa Ysabel		826,212.48
Totals, Expenditures		78,101,212.48
FUND BALANCE, prior to distribution		34,624,790.53
Pending distribution		19,800,000.00
Disbursements held on behalf of the California Valley Miwok Tribe pending identification of Tribal government		9,313,001.99
Interest due to Tribes ¹		431,610.67
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	\$	4,805,177.87

Footnotes:

¹. Accrued interest on previously held distributions in the amount of \$431,610.67 as of Quarter Ending March 31, 2013 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.