

CALIFORNIA GAMBLING CONTROL COMMISSION

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*Memorandum*

DATE: October 30, 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 September 30, 2013

All eligible Tribes will be allocated a total of \$275,000.00, which consists of \$154,489.46 from license fees and interest income and \$120,510.54 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 \$11,261,269.56 and interest income of \$22,246.73, for a total of \$11,283,516.29, was received into the RSTF for the quarterly period ended September 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 \$5,784.96. The quarterly amount of the shortfall in payments to all eligible recipient Indian Tribes for the quarter totals \$8,797,269.42.

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 Iipay Nation of Santa Ysabel be distributed to Yavapai-Apache Nation (YAN) 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 one (1) Tribe was \$343,537.50. 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 \$4,705.99 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, 2013, are summarized in the following Table 1:

Table 1		
Indian Gaming Revenue Sharing Trust Fund License Fee Payment Aging Schedule as of September 30, 2013		
Period(s) in Arrears²	Number of Tribes	Amount of License Fees Due
One (1) Quarter (Section 4.3.2.3)	1	\$343,537.50
Exceeds 30 days after the calendar quarter (Section 4.3.2.2)	0	.00
Totals	1	\$343,537.50

A fund condition statement for the RSTF through September 30, 2013, for the fiscal year 2013-14 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 Compact Tribes
- Exhibit 3 – RSTF Fund Condition Statement

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

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to September 30, 2013
1	Alturas Indian Rancheria ¹	154,489.46	120,510.54	\$275,000.00	\$13,063,385.42
2	Augustine Band of Cahuilla Indians ²	.00	.00	.00	1,238,385.42
3	Bear River Band of the Rohnerville Rancheria	154,489.46	120,510.54	275,000.00	13,063,385.42
4	Big Lagoon Rancheria	154,489.46	120,510.54	275,000.00	13,063,385.42
5	Big Pine Paiute Tribe of the Owens Valley	154,489.46	120,510.54	275,000.00	13,063,385.42
6	Big Sandy Rancheria of Western Mono Indians of California	154,489.46	120,510.54	275,000.00	13,063,385.42
7	Big Valley Band of Pomo Indians of the Big Valley Rancheria	154,489.46	120,510.54	275,000.00	5,775,000.00
8	Bishop Paiute Tribe	154,489.46	120,510.54	275,000.00	13,063,385.42
9	Blue Lake Rancheria ²	.00	.00	.00	1,788,385.42
10	Bridgeport Indian Colony	154,489.46	120,510.54	275,000.00	13,063,385.42
11	Buena Vista Rancheria of Me-Wuk Indians of California	154,489.46	120,510.54	275,000.00	13,063,385.42
12	Cahto Tribe	154,489.46	120,510.54	275,000.00	13,063,385.42
13	Cahuilla Band of Mission Indians of the Cahuilla Reservation	154,489.46	120,510.54	275,000.00	13,063,385.42
14	California Valley Miwok Tribe ¹	154,489.46	120,510.54	275,000.00	13,063,385.42
15	Campo Band of Diegueno Mission Indians of the Campo Indian Reservation ²	.00	.00	.00	538,034.21
16	Cedarville Rancheria	154,489.46	120,510.54	275,000.00	13,063,385.42
17	Chemehuevi Indian Tribe of the Chemehuevi Reservation	154,489.46	120,510.54	275,000.00	13,063,385.42
18	Cher-Ae Heights Indian Community of the Trinidad Rancheria	154,489.46	120,510.54	275,000.00	13,063,385.42
19	Chicken Ranch Rancheria of Me-Wuk Indians of California	154,489.46	120,510.54	275,000.00	13,063,385.42
20	Cloverdale Rancheria of Pomo Indians of California	154,489.46	120,510.54	275,000.00	13,063,385.42
21	Cold Springs Rancheria of Mono Indians of California	154,489.46	120,510.54	275,000.00	13,063,385.42

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

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to September 30, 2013
22	Colorado River Indian Tribes of the Colorado River Indian Reservation	154,489.46	120,510.54	275,000.00	13,063,385.42
23	Cortina Indian Rancheria of Wintun Indians of California	154,489.46	120,510.54	275,000.00	13,063,385.42
24	Coyote Valley Reservation	154,489.46	120,510.54	275,000.00	9,075,000.00
25	Death Valley Timbi-Sha Shoshone Tribe	154,489.46	120,510.54	275,000.00	13,063,385.42
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	154,489.46	120,510.54	275,000.00	13,063,385.42
28	Elk Valley Rancheria	154,489.46	120,510.54	275,000.00	13,063,385.42
29	Enterprise Rancheria of Maidu Indians of California	154,489.46	120,510.54	275,000.00	13,063,385.42
30	Ewiiapaayp Band of Kumeyaay Indians	154,489.46	120,510.54	275,000.00	13,063,385.42
31	Federated Indians of Graton Rancheria	154,489.46	120,510.54	275,000.00	12,642,594.03
32	Fort Bidwell Indian Community of the Fort Bidwell Reservation of California	154,489.46	120,510.54	275,000.00	13,063,385.42
33	Fort Independence Indian Community of Paiute Indians of the Fort Independence Reservation	154,489.46	120,510.54	275,000.00	13,063,385.42
34	Fort Mojave Indian Tribe of Arizona, California & Nevada	154,489.46	120,510.54	275,000.00	13,063,385.42
35	Greenville Rancheria	154,489.46	120,510.54	275,000.00	13,063,385.42
36	Grindstone Indian Rancheria of Wintun-Wailaki Indians of California	154,489.46	120,510.54	275,000.00	13,063,385.42
37	Guidiville Rancheria of California	154,489.46	120,510.54	275,000.00	13,063,385.42
38	Habematolel Pomo of Upper Lake	154,489.46	120,510.54	275,000.00	13,063,385.42
39	Hoopa Valley Tribe	154,489.46	120,510.54	275,000.00	13,063,385.42

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

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to September 30, 2013
40	Hopland Band of Pomo Indians of the Hopland Rancheria ²	154,489.46	120,510.54	275,000.00	991,306.53
41	lipay Nation of Santa Ysabel	154,489.46	120,510.54	275,000.00	13,063,385.42
42	Inaja Band of Diegueno Mission Indians of the Inaja and Cosmit Reservation	154,489.46	120,510.54	275,000.00	13,063,385.42
43	lone Band of Miwok Indians of California	154,489.46	120,510.54	275,000.00	13,063,385.42
44	Jamul Indian Village of California	154,489.46	120,510.54	275,000.00	13,063,385.42
45	Karuk Tribe of California	154,489.46	120,510.54	275,000.00	13,063,385.42
46	Kashia Band of Pomo Indians of the Stewarts Point Rancheria	154,489.46	120,510.54	275,000.00	13,063,385.42
47	La Jolla Band of Luiseno Indians	154,489.46	120,510.54	275,000.00	13,063,385.42
48	La Posta Band of Diegueno Mission Indians of the La Posta Indian Reservation	154,489.46	120,510.54	275,000.00	13,063,385.42
49	Lone Pine Paiute-Shoshone Tribe	154,489.46	120,510.54	275,000.00	13,063,385.42
50	Los Coyotes Band of Cahuilla and Cupeno Indians	154,489.46	120,510.54	275,000.00	13,063,385.42
51	Lower Lake Rancheria	154,489.46	120,510.54	275,000.00	12,642,594.03
52	Lytton Rancheria of California	154,489.46	120,510.54	275,000.00	13,063,385.42
53	Manchester Band of Pomo Indians of the Manchester Rancheria	154,489.46	120,510.54	275,000.00	13,063,385.42
54	Manzanita Band of Diegueno Mission Indians of the Manzanita Reservation	154,489.46	120,510.54	275,000.00	13,063,385.42
55	Mechoopda Indian Tribe of Chico Rancheria	154,489.46	120,510.54	275,000.00	13,063,385.42
56	Mesa Grande Band of Diegueno Mission Indians of the Mesa Grande Reservation	154,489.46	120,510.54	275,000.00	13,063,385.42
57	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 September 30, 2013**

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to September 30, 2013
58	Northfork Rancheria of Mono Indians of California	154,489.46	120,510.54	275,000.00	13,063,385.42
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	154,489.46	120,510.54	275,000.00	13,063,385.42
64	Pit River Tribe (includes XL Ranch, Big Bend, Likely, Lookout, Montgomery Creek and Roaring Creek Rancherias)	154,489.46	120,510.54	275,000.00	13,063,385.42
65	Potter Valley Tribe	154,489.46	120,510.54	275,000.00	13,063,385.42
66	Quartz Valley Indian Community of the Quartz Valley Reservation of California	154,489.46	120,510.54	275,000.00	13,063,385.42
67	Quechan Tribe of the Fort Yuma Indian Reservation ²	.00	.00	.00	7,838,385.42
68	Ramona Band of Cahuilla	154,489.46	120,510.54	275,000.00	13,063,385.42
69	Redwood Valley or Little River Band of Pomo Indians of the Redwood Valley Rancheria California	154,489.46	120,510.54	275,000.00	13,063,385.42
70	Resighini Rancheria	154,489.46	120,510.54	275,000.00	13,063,385.42
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	154,489.46	120,510.54	275,000.00	13,063,385.42
73	San Pasqual Band of Diegueno Mission 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 September 30, 2013**

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to September 30, 2013
74	Santa Rosa Band of Cahuilla Indians	154,489.46	120,510.54	275,000.00	13,063,385.42
75	Scotts Valley Band of Pomo Indians of California	154,489.46	120,510.54	275,000.00	13,063,385.42
76	Sherwood Valley Rancheria of Pomo Indians of California	154,489.46	120,510.54	275,000.00	13,063,385.42
77	Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria (Verona Tract) ²	.00	.00	.00	7,563,385.42
78	Smith River Rancheria	154,489.46	120,510.54	275,000.00	13,063,385.42
79	Susanville Indian Rancheria	154,489.46	120,510.54	275,000.00	13,063,385.42
80	Tejon Indian Tribe	154,489.46	120,510.54	275,000.00	1,909,890.00
81	Torres Martinez Desert Cahuilla Indians	154,489.46	120,510.54	275,000.00	13,063,385.42
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	154,489.46	120,510.54	275,000.00	13,063,385.42
85	Washoe Tribe of Nevada & California (Carson Colony, Dresslerville Colony, Woodfords Community, Stewart Community, & Washoe Ranches)	154,489.46	120,510.54	275,000.00	13,063,385.42
86	Wilton Rancheria	154,489.46	120,510.54	275,000.00	4,744,505.49
87	Wiyot Tribe	154,489.46	120,510.54	275,000.00	13,063,385.42
88	Yurok Tribe of the Yurok Reservation	154,489.46	120,510.54	275,000.00	13,063,385.42
	Total	\$11,277,730.58	\$8,797,269.42	\$20,075,000.00	\$937,013,642.30

Footnotes:

¹ Distribution to the Tribe is currently pending.

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 September 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	\$500,000.00	\$15,827,953.20
2	Alturas Indian Rancheria	0.00	375,000.00
3	Augustine Band of Cahuilla Indians	22,500.00	699,241.27
4	Barona Group of Capitan Grande Band of Mission Indians of the Barona Reservation	368,175.00	9,849,437.77
5	Bear River Band of the Rohnerville Rancheria	0.00	0.00
6	Berry Creek Rancheria of Maidu Indians of California	32,400.00	1,325,470.68
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	11,250.00	601,921.23
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	343,537.50	14,446,856.91
12	Cachil DeHe Band of Wintun Indians of the Colusa Indian Community of the Colusa Rancheria	90,000.00	1,435,808.22
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	33,750.00	624,421.23
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	187,500.00	17,418,246.58

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

	Compact Tribe	Revenue Received Fiscal Year to Date	Revenue Received Inception to Date
20	Elem Indian Colony of Pomo Indians of the Sulphur Bank Rancheria	0.00	0.00
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	258,194.56	11,609,536.42
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	33,750.00	2,270,882.22
32	Morongo Band of Mission Indians	500,000.00	10,962,104.14
33	Bishop Paiute Tribe	0.00	0.00
34	Pala Band of Luiseno Mission Indians of the Pala Reservation	500,000.00	30,875,896.37
35	Paskenta Band of Nomlaki Indians of California	31,500.00	778,023.48
36	Pauma Band of Luiseno Mission Indians of the Pauma & Yuima Reservation	78,750.00	6,534,911.71
37	Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation	500,000.00	13,006,120.11
38	Picayune Rancheria of Chukchansi Indians of California	551,250.00	29,549,619.86
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	33,750.00	1,878,272.64

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

	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	496,875.00	24,870,054.46
44	Robinson Rancheria of Pomo Indians of California	0.00	337,500.00
45	San Manuel Band of Mission Indians	500,000.00	17,798,240.41
46	San Pasqual Band of Diegueno Mission Indians of California	768,750.00	23,664,616.84
47	Santa Rosa Indian Community of the Santa Rosa Rancheria	636,075.00	34,032,626.51
48	Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation	328,875.00	17,596,164.04
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)	1,150,000.00	21,931,194.25
51	Smith River Rancheria	0.00	0.00
52	Soboba Band of Luiseno Indians	216,262.50	10,995,393.09
53	Susanville Indian Rancheria	0.00	0.00
54	Sycuan Band of the Kumeyaay Nation	584,962.50	31,297,897.71
55	Table Mountain Rancheria of California	292,312.50	15,639,920.03
56	Tule River Indian Tribe of the Tule River Reservation	178,725.00	10,667,049.04
57	Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California	187,500.00	4,106,583.02
58	Twenty-Nine Palms Band of Mission Indians of California	344,625.00	18,438,853.77
59	United Auburn Indian Community of the Auburn Rancheria of California	500,000.00	23,450,312.20
60	Viejas (Baron Long) Group of Capitan Grande Band of Mission Indians of the Viejas Reservation	500,000.00	20,194,230.34
61	Yocha Dehe Wintun Nation	500,000.00	21,637,524.18
	Totals	\$11,261,269.56	\$473,724,609.83
	Interest	22,246.73	9,229,870.12
	Grand Totals	\$11,283,516.29	\$482,954,479.95

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
As of the Quarter Ended September 30, 2013
Cash Basis

BEGINNING BALANCE	\$	34,624,790.53
REVENUES AND TRANSFERS		
Revenues:		
150300 Income from surplus money investments		22,246.73
216900 License fees held in trust		11,261,269.56
Transfer from the SDF to the RSTF for shortfall per Item 0855-111-0367, Budget Act of 2013		28,200,000.00
Totals, Revenues		39,483,516.29
Totals, Resources		74,108,306.82
EXPENDITURES		
Disbursements to Eligible Indian Recipient Tribes		19,800,000.00
Totals, Expenditures		19,800,000.00
FUND BALANCE, prior to distribution		54,308,306.82
Pending distribution		19,800,000.00
Disbursements held on behalf of the California Valley Miwok Tribe pending identification of Tribal government		9,588,001.99
Interest due to Tribes ¹		437,395.63
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	\$	24,207,909.20

Footnotes:

¹. Accrued interest on previously held distributions in the amount of \$437,395.63 as of Quarter Ending June 30, 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.