#### CALIFORNIA GAMBLING CONTROL COMMISSION

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#### Memorandum

DATE: April 22, 2014

TO: Chairman Lopes

Commissioner Conklin Commissioner Hammond Commissioner Schuetz

FROM: TINA M. LITTLETON

**Executive Director** 

VIA: Rachelle Ryan

Associate Analyst, Administration Division

SUBJECT: Revenue Sharing Trust Fund Report of Distribution of Funds to Eligible

Recipient Indian Tribes for the Quarter Ended March 31, 2014

All eligible Tribes will be allocated a total of \$275,000.00, which consists of \$157,227.10 from license fees and interest income and \$117,772.90 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 \$11,296,700.13 and interest income of \$29,103.73, for a total of \$11,325,803.86, was received into the RSTF for the quarterly period ended March 31, 2014. 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 \$5,452.50. The quarterly amount of the shortfall in payments to all eligible recipient Indian Tribes for the quarter totals \$8,479,648.80.

Staff recommends that the distribution to the California Valley Miwok Tribe be allocated but withheld. The U.S. District Court for the District of Columbia issued a decision stating the Assistant Secretary's decision to recognize the five members of the Sylvia Burley faction was unreasonable. The court remanded the matter back to the Secretary of the Interior for reconsideration. It is unclear when the BIA will issue a new decision.

Staff recommends that the distribution to the lipay Nation of Santa Ysabel be allocated but withheld. The Commission will distribute the funds pending receipt of a Stipulation or a court order directing payment to lipay Nation of Santa Ysabel or the Yavapai Apache Nation.

Commissioners April 22, 2014 Page 2

Staff also recommends that the funds allocated to Fort Independence Indian Community of Paiute Indians of the Fort Independence Reservation be distributed to Gilmore Bank, as Depository, pursuant to an order from Inyo 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-two (72)<sup>1</sup> 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 \$4,771.35 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, 2014, are summarized in the following Table 1:

	enue Sharing Trust Fu nedule as of March 31,	
Period(s) in Arrears <sup>2</sup>	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 March 31, 2014, for the fiscal year 2013-14 is attached as Exhibit 3.

#### Attachments:

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

<sup>1</sup> Distribution to the California Valley Miwok Tribe is withheld pending resolution of Tribal leadership dispute.

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

## **Revenue Sharing Trust Fund Distribution**

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to March 31, 2014
1	Alturas Indian Rancheria	157,227.10	117,772.90	\$275,000.00	\$13,613,385.42
2	Augustine Band of Cahuilla Indians <sup>2</sup>	.00	.00	.00	1,238,385.42
3	Bear River Band of the Rohnerville Rancheria	157,227.10	117,772.90	275,000.00	13,613,385.42
4	Big Lagoon Rancheria	157,227.10	117,772.90	275,000.00	13,613,385.42
5	Big Pine Paiute Tribe of the Owens Valley	157,227.10	117,772.90	275,000.00	13,613,385.42
6	Big Sandy Rancheria of Western Mono Indians of California	157,227.10	117,772.90	275,000.00	13,613,385.42
7	Big Valley Band of Pomo Indians of the Big Valley Rancheria	157,227.10	117,772.90	275,000.00	6,325,000.00
8	Bishop Paiute Tribe	157,227.10	117,772.90	275,000.00	13,613,385.42
9	Blue Lake Rancheria <sup>2</sup>	.00	.00	.00	1,788,385.42
10	Bridgeport Indian Colony	157,227.10	117,772.90	275,000.00	13,613,385.42
11	Buena Vista Rancheria of Me-Wuk Indians of California	157,227.10	117,772.90	275,000.00	13,613,385.42
12	Cahto Tribe	157,227.10	117,772.90	275,000.00	13,613,385.42
13	Cahuilla Band of Mission Indians of the Cahuilla Reservation	157,227.10	117,772.90	275,000.00	13,613,385.42
14	California Valley Miwok Tribe <sup>1</sup>	157,227.10	117,772.90	275,000.00	13,613,385.42
15	Campo Band of Diegueno Mission Indians of the Campo Indian Reservation <sup>2</sup>	.00	.00	.00	538,034.21
16	Cedarville Rancheria	157,227.10	117,772.90	275,000.00	13,613,385.42
17	Chemehuevi Indian Tribe of the Chemehuevi Reservation	157,227.10	117,772.90	275,000.00	13,613,385.42
18	Cher-Ae Heights Indian Community of the Trinidad Rancheria	157,227.10	117,772.90	275,000.00	13,613,385.42
19	Chicken Ranch Rancheria of Me-Wuk Indians of California	157,227.10	117,772.90	275,000.00	13,613,385.42
20	Cloverdale Rancheria of Pomo Indians of California	157,227.10	117,772.90	275,000.00	13,613,385.42
21	Cold Springs Rancheria of Mono Indians of California	157,227.10	117,772.90	275,000.00	13,613,385.42

## **Revenue Sharing Trust Fund Distribution**

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to March 31, 2014
22	Colorado River Indian Tribes of the Colorado River Indian Reservation	157,227.10	117,772.90	275,000.00	13,613,385.42
23	Cortina Indian Rancheria of Wintun Indians of California	157,227.10	117,772.90	275,000.00	13,613,385.42
24	Coyote Valley Reservation	157,227.10	117,772.90	275,000.00	9,625,000.00
25	Death Valley Timbi-Sha Shoshone Tribe	157,227.10	117,772.90	275,000.00	13,613,385.42
26	Dry Creek Rancheria of Pomo Indians of California <sup>2</sup>	.00	.00	.00	1,513,385.42
27	Elem Indian Colony of Pomo Indians of the Sulphur Bank Rancheria	157,227.10	117,772.90	275,000.00	13,613,385.42
28	Elk Valley Rancheria	157,227.10	117,772.90	275,000.00	13,613,385.42
29	Enterprise Rancheria of Maidu Indians of California	157,227.10	117,772.90	275,000.00	13,613,385.42
30	Ewiiaapaayp Band of Kumeyaay Indians	157,227.10	117,772.90	275,000.00	13,613,385.42
31	Federated Indians of Graton Rancheria <sup>2</sup>	.00	.00	.00	12,642,594.03
32	Fort Bidwell Indian Community of the Fort Bidwell Reservation of California	157,227.10	117,772.90	275,000.00	13,613,385.42
33	Fort Independence Indian Community of Paiute Indians of the Fort Independence Reservation	157,227.10	117,772.90	275,000.00	13,613,385.42
34	Fort Mojave Indian Tribe of Arizona, California & Nevada	157,227.10	117,772.90	275,000.00	13,613,385.42
35	Greenville Rancheria	157,227.10	117,772.90	275,000.00	13,613,385.42
36	Grindstone Indian Rancheria of Wintun-Wailaki Indians of California	157,227.10	117,772.90	275,000.00	13,613,385.42
37	Guidiville Rancheria of California	157,227.10	117,772.90	275,000.00	13,613,385.42
38	Habematolel Pomo of Upper Lake	157,227.10	117,772.90	275,000.00	13,613,385.42
39	Hoopa Valley Tribe	157,227.10	117,772.90	275,000.00	13,613,385.42

## **Revenue Sharing Trust Fund Distribution**

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to March 31, 2014
40	Hopland Band of Pomo Indians of the Hopland Rancheria <sup>2</sup>	157,227.10	117,772.90	275,000.00	1,541,306.53
41	lipay Nation of Santa Ysabel <sup>1</sup>	157,227.10	117,772.90	275,000.00	13,613,385.42
42	Inaja Band of Diegueno Mission Indians of the Inaja and Cosmit Reservation	157,227.10	117,772.90	275,000.00	13,613,385.42
43	Ione Band of Miwok Indians of California	157,227.10	117,772.90	275,000.00	13,613,385.42
44	Jamul Indian Village of California	157,227.10	117,772.90	275,000.00	13,613,385.42
45	Karuk Tribe of California	157,227.10	117,772.90	275,000.00	13,613,385.42
46	Kashia Band of Pomo Indians of the Stewarts Point Rancheria	157,227.10	117,772.90	275,000.00	13,613,385.42
47	La Jolla Band of Luiseno Indians	157,227.10	117,772.90	275,000.00	13,613,385.42
48	La Posta Band of Diegueno Mission Indians of the La Posta Indian Reservation	157,227.10	117,772.90	275,000.00	13,613,385.42
49	Lone Pine Paiute-Shoshone Tribe	157,227.10	117,772.90	275,000.00	13,613,385.42
50	Los Coyotes Band of Cahuilla and Cupeno Indians	157,227.10	117,772.90	275,000.00	13,613,385.42
51	Lower Lake Rancheria	157,227.10	117,772.90	275,000.00	13,192,594.03
52	Lytton Rancheria of California	157,227.10	117,772.90	275,000.00	13,613,385.42
53	Manchester Band of Pomo Indians of the Manchester Rancheria	157,227.10	117,772.90	275,000.00	13,613,385.42
54	Manzanita Band of Diegueno Mission Indians of the Manzanita Reservation	157,227.10	117,772.90	275,000.00	13,613,385.42
55	Mechoopda Indian Tribe of Chico Rancheria	157,227.10	117,772.90	275,000.00	13,613,385.42
56	Mesa Grande Band of Diegueno Mission Indians of the Mesa Grande Reservation	157,227.10	117,772.90	275,000.00	13,613,385.42
57	Middletown Rancheria of Pomo Indians of California <sup>2</sup>	.00	.00	.00	482,578.08

## **Revenue Sharing Trust Fund Distribution**

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to March 31, 2014
58	Northfork Rancheria of Mono Indians of California	157,227.10	117,772.90	275,000.00	13,613,385.42
59	Pala Band of Luiseno Mission Indians of the Pala Reservation <sup>2</sup>	.00	.00	.00	482,578.08
60	Paskenta Band of Nomlaki Indians of California <sup>2</sup>	.00	.00	.00	688,385.42
61	Pauma Band of Luiseno Mission Indians of the Pauma & Yuima Reservation <sup>2</sup>	.00	.00	.00	482,578.08
62	Picayune Rancheria of Chukchansi Indians of California <sup>2</sup>	.00	.00	.00	1,513,385.42
63	Pinoleville Pomo Nation	157,227.10	117,772.90	275,000.00	13,613,385.42
64	Pit River Tribe (includes XL Ranch, Big Bend, Likely, Lookout, Montgomery Creek and Roaring Creek Rancherias)	157,227.10	117,772.90	275,000.00	13,613,385.42
65	Potter Valley Tribe	157,227.10	117,772.90	275,000.00	13,613,385.42
66	Quartz Valley Indian Community of the Quartz Valley Reservation of California	157,227.10	117,772.90	275,000.00	13,613,385.42
67	Quechan Tribe of the Fort Yuma Indian Reservation <sup>2</sup>	.00	.00	.00	7,838,385.42
68	Ramona Band of Cahuilla	157,227.10	117,772.90	275,000.00	13,613,385.42
69	Redwood Valley or Little River Band of Pomo Indians of the Redwood Valley Rancheria California	157,227.10	117,772.90	275,000.00	13,613,385.42
70	Resighini Rancheria	157,227.10	117,772.90	275,000.00	13,613,385.42
71	Rincon Band of Luiseno Mission Indians of the Rincon Reservation <sup>2</sup>	.00	.00	.00	441,306.53
72	Round Valley Indian Tribes, Round Valley Reservation	157,227.10	117,772.90	275,000.00	13,613,385.42
73	San Pasqual Band of Diegueno Mission Indians of California <sup>2</sup>	.00	.00	.00	482,578.08

Exhibit 1

## **Revenue Sharing Trust Fund Distribution**

## Total Amount of Distribution for the Quarter Ended March 31, 2014

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to March 31, 2014
74	Santa Rosa Band of Cahuilla Indians	157,227.10	117,772.90	275,000.00	13,613,385.42
75	Scotts Valley Band of Pomo Indians of California	157,227.10	117,772.90	275,000.00	13,613,385.42
76	Sherwood Valley Rancheria of Pomo Indians of California	157,227.10	117,772.90	275,000.00	13,613,385.42
77	Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria (Verona Tract) <sup>2</sup>	.00	.00	.00	7,563,385.42
78	Smith River Rancheria	157,227.10	117,772.90	275,000.00	13,613,385.42
79	Susanville Indian Rancheria	157,227.10	117,772.90	275,000.00	13,613,385.42
80	Tejon Indian Tribe	157,227.10	117,772.90	275,000.00	2,459,890.00
81	Torres Martinez Desert Cahuilla Indians	157,227.10	117,772.90	275,000.00	13,613,385.42
82	Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California <sup>2</sup>	.00	.00	.00	482,578.08
83	United Auburn Indian Community of the Auburn Rancheria of California <sup>2</sup>	.00	.00	.00	1,513,385.42
84	Utu Utu Gwaitu Paiute Tribe of the Benton Paiute Reservation	157,227.10	117,772.90	275,000.00	13,613,385.42
85	Washoe Tribe of Nevada & California (Carson Colony, Dresslerville Colony, Woodfords Community, Stewart Community, & Washoe Ranches)	157,227.10	117,772.90	275,000.00	13,613,385.42
86	Wilton Rancheria	157,227.10	117,772.90	275,000.00	5,294,505.49
87	Wiyot Tribe	157,227.10	117,772.90	275,000.00	13,613,385.42
88	Yurok Tribe of the Yurok Reservation	157,227.10	117,772.90	275,000.00	13,613,385.42
	Total	\$11,320,351.20	\$8,479,648.80	\$19,800,000.00	\$976,613,642.30

#### Footnotes:

<sup>&</sup>lt;sup>1</sup> Distribution to the Tribe is currently pending.

<sup>&</sup>lt;sup>2</sup> No longer an eligible recipient Tribe; however, previously received RSTF distributions.

## Revenue Sharing Trust Fund

## Amount of Revenue from Each Compact Tribe Received by the Commission through the Quarter Ending March 31, 2014

	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	\$16,827,953.20
2	Alturas Indian Rancheria	0.00	375,000.00
3	Augustine Band of Cahuilla Indians	67,500.00	744,241.27
4	Barona Group of Capitan Grande Band of Mission Indians of the Barona Reservation	736,350.00	10,217,612.77
5	Bear River Band of the Rohnerville Rancheria	0.00	0.00
6	Berry Creek Rancheria of Maidu Indians of California	97,200.00	1,390,270.68
7	Big Sandy Rancheria of Western Mono Indians of California	0.00	0.00 <sup>1</sup>
8	Big Valley Band of Pomo Indians of the Big Valley Rancheria	33,750.00	624,421.23
9	Blue Lake Rancheria	0.00	566,250.00
10	Buena Vista Rancheria of Me-Wuk Indians of California	0.00	0.00 <sup>1</sup>
11	Cabazon Band of Mission Indians	1,030,612.50	15,133,931.91
12	Cachil DeHe Band of Wintun Indians of the Colusa Indian Community of the Colusa Rancheria	270,000.00	1,615,808.22
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 <sup>1</sup>
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	562,500.00	17,793,246.58

## **Revenue Sharing Trust Fund**

## Amount of Revenue from Each Compact Tribe Received by the Commission through the Quarter Ending March 31, 2014

	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	Ewiiaapaayp 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	891,569.56	12,242,911.42
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	101,250.00	2,338,382.22
32	Morongo Band of Mission Indians	1,500,000.00	11,962,104.14
33	Bishop Paiute Tribe	0.00	0.00
34	Pala Band of Luiseno Mission Indians of the Pala Reservation	1,500,000.00	31,875,896.37
35	Paskenta Band of Nomlaki Indians of California	126,000.00	872,523.48
36	Pauma Band of Luiseno Mission Indians of the Pauma & Yuima Reservation	236,250.00	6,692,411.71
37	Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation	1,500,000.00	14,006,120.11
38	Picayune Rancheria of Chukchansi Indians of California	1,653,750.00	30,652,119.86
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	67,500.00	1,912,022.64

## **Revenue Sharing Trust Fund**

## Amount of Revenue from Each Compact Tribe Received by the Commission through the Quarter Ending March 31, 2014

	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	1,425,375.00	25,798,554.46
44	Robinson Rancheria of Pomo Indians of California	0.00	337,500.00
45	San Manuel Band of Mission Indians	1,500,000.00	18,798,240.41
46	San Pasqual Band of Diegueno Mission Indians of California	2,306,250.00	25,202,116.84
47	Santa Rosa Indian Community of the Santa Rosa Rancheria	1,908,225.00	35,304,776.51
48	Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation	986,625.00	18,253,914.04
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)	3,808,488.92	24,589,683.17
51	Smith River Rancheria	0.00	0.00
52	Soboba Band of Luiseno Indians	648,787.50	11,427,918.09
53	Susanville Indian Rancheria	0.00	0.00
54	Sycuan Band of the Kumeyaay Nation	1,754,887.50	32,467,822.71
55	Table Mountain Rancheria of California	876,937.50	16,224,545.03
56	Tule River Indian Tribe of the Tule River Reservation	516,675.00	11,004,999.04
57	Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California	562,500.00	4,481,583.02
58	Twenty-Nine Palms Band of Mission Indians of California	1,033,875.00	19,128,103.77
59	United Auburn Indian Community of the Auburn Rancheria of California	1,500,000.00	24,450,312.20
60	Viejas (Baron Long) Group of Capitan Grande Band of Mission Indians of the Viejas Reservation	1,500,958.91	21,195,189.25
61	Yocha Dehe Wintun Nation	1,500,000.00	22,637,524.18
	Totals	\$33,737,567.39	\$496,200,907.66
	Interest	73,506.63	9,281,130.02
	Grand Totals	\$33,811,074.02	\$505,482,037.68

#### 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 ELIND CONDITION STATEMENT

### FUND CONDITION STATEMENT As of the Quarter Ended March 31, 2014

Cash Basis

BEGINNING BALANCE	\$	34,624,790.53
REVENUES AND TRANSFERS Revenues:		
250300 Income from surplus money investments		73,506.63
216900 License fees held in trust  Transfer from the SDF to the RSTF for shortfall per		33,720,692.39
Item 0855-111-0367, Budget Act of 2013	_	28,200,000.00
Totals, Revenues	_	61,994,199.02
Totals, Resources		96,618,989.55
EXPENDITURES Disbursements to Eligible Indian Recipient Tribes	_	58,850,000.00
Totals, Expenditures	_	58,850,000.00
FUND BALANCE, prior to distribution		37,768,989.55
Pending distribution		19,250,000.00
Disbursement held on behalf of the lipay Nation of Santa Ysabel		550,000.00
Disbursements held on behalf of the California Valley Miwok Tribe pending identification of Tribal government		10,138,001.99
Interest due to Tribes <sup>1</sup>		448,781.76
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 <sup>2</sup>	\$_	7,107,205.80

#### Footnotes:

<sup>&</sup>lt;sup>1.</sup> Accrued interest on previously held distributions in the amount of \$448,679.73 for California Valley Miwok Tribe and \$102.03 for lipay Nation of Santa Ysabel as of Quarter Ending December 31, 2013 pending distributions.

<sup>&</sup>lt;sup>2.</sup> 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.