

TRIBAL/STATE COMPACTS - AUGUST 23, 2004  
CSAC ANALYSIS

Tribe	County	Number of Slot Machines	Contribution to State	Contribution to Revenue Sharing Trust Fund (REST)	Definition of net win	Environmental Analysis	Enforceable Agreements with local governments	Arbitration	Exclusivity
Lytton Band	Contra Costa	Up to 2,500	25% of net win. Tribe may deduct from the 25% payment the payments made to the City of San Pablo, Contra Costa County, the Department of Transportation pursuant to intergovernmental agreements. It may also deduct the \$750,000 payment to the RSTF.	\$750,000 per quarter (\$3 million per year).	Total amount wagered, less all prizes and payouts (as determined by GAAP) and participation fees.	Before a project commences the tribe must prepare a Tribal Environmental Impact Report (TEIR) analyzing the potentially significant off-reservation environmental impacts.	Written agreement to address four areas: 1) timely mitigation of all off-reservation impacts*; 2) compensation for law enforcement, fire, ems; 3) compensation for programs on gambling addiction; 4) mitigation of any affect on public safety. <b>Agreement must be with the county and the State, and the city and the State.</b>	Tribe and county have 55 days to reach agreement, then arbitration proceeds. Arbitration may be called by the Tribe, County, City or the State.	35 mile radius against non-tribal interests.
Buena Vista	Amador	Unlimited slot machines.	15% of the net win from devices if the revenues are up to \$200 million and 25% of the net win if the revenues are above \$200 million.	Quarterly payments from \$225 to \$750 depending on the amount of machines in operation. Maximum amount per year is \$3,000.	Gross revenue less all prizes and payouts, fills, hopper adjustments and participation fees.	TEIR (see above)	Written agreement to address four areas: 1) mitigation of all off-reservation impacts*; 2) compensation for law enforcement, fire, ems; 3) compensation for programs on gambling addiction; 4) mitigation of any affect on public safety. <b>Provides that MOU between the Tribe and the County is in affect until a new agreement is reached.</b>	Tribe and county have 55 days to reach agreement, then arbitration proceeds. Tribe or county may request arbitration.	Exclusivity within a 63-mile radius against non-tribal interests.

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Coyote Valley	Mendocino	Up to 2,000	<b>Under</b> 750 devices and \$30 million annually it pays between \$4600 - \$5180 per device. <b>More</b> than \$30 million per year it must pay between 12% and 25% of its net win to the state based on revenues.	No payment unless revenues are over \$50 million from net win. If over \$50 million, it must pay \$900 per device.	Total amount wagered, less the amount paid out to the winning players in prizes and jackpots and less participation fees.	TEIR (see above)	Written agreement to address same four areas as above, except that 3) mitigation of any effect on public health including gambling addiction and public safety attributable to the public.	Tribe and county have 90 days to reach agreement, then arbitration proceeds. Tribe or county may request arbitration.	Exclusive region is Mendocino, Marin, and Sonoma but only against non tribal gaming.
Ft. Mojave	San Bernardino	Up to 1500 devices.	Percentage of net win based on tribal membership: <b>Over 1,000</b> members it pays between 10% and 25%. <b>Between 500 and 1,000</b> members it pays between 11% and 25%. <b>Below 500</b> members it must pay 12%.	No payment unless revenues are over \$25 million. If over \$25 million it must pay \$900 per device (701-1100 devices) or \$1950 per device (1100-1500 devices).	Total amount wagered, less the amount paid out to the winning players in prizes and jackpots and less participation fees.	TEIR (see above)	Written agreement between the County and the City of Needles. 1) mitigation of all off-reservation impacts*; 2) compensation for law enforcement, fire, ems; 3) mitigation of any effect on public health including gambling addiction and public safety attributable to the project; 4) Inspection by county or city building officials.	Tribe and county have 90 days to reach agreement, then arbitration proceeds. Tribe or county may request arbitration.	Exclusivity within a 50-mile radius of the facility.
Ewiiapaayp	San Diego	Unlimited slot machines.	Percentage of its net win to the state between 15% (\$0-\$200 million) and 25% (over \$200 million).	No payment to the RSTF until the 6th year of operation. In the 6th year the tribe must pay \$200,000 annually and this increases to \$1.5 million in the 11th year.	Gross revenue less all prizes and payouts, fills, hopper adjustments and participation fees.	TEIR (see above)	Written agreement to address four areas: 1) mitigation of all off-reservation impacts*; 2) compensation for law enforcement, fire, ems; 3) compensation for programs on gambling addiction; 4) mitigation of any affect on public safety.	Tribe and county have 55 days to reach agreement, then arbitration proceeds. Tribe or county may request arbitration.	Exclusivity is the county of San Diego against non-tribal interests.

\* The definition of this term includes the provision that the project will cause substantial adverse effects on human beings, either directly or indirectly. In addition, these compacts provide that effect may include, but are not limited to aesthetics, agricultural resources, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, water resources, land use, mineral resources, traffic, noise, utilities and service systems and cumulative effects