

**AMENDMENT TO THE  
TRIBAL-STATE COMPACT  
BETWEEN  
THE STATE OF CALIFORNIA  
AND THE  
CHER-AE HEIGHTS INDIAN  
COMMUNITY OF THE TRINIDAD  
RANCHERIA, CALIFORNIA**

**AMENDMENT TO THE TRIBAL-STATE COMPACT  
BETWEEN THE STATE OF CALIFORNIA  
AND THE CHER-AE HEIGHTS INDIAN COMMUNITY OF THE  
TRINIDAD RANCHERIA, CALIFORNIA TO  
EXTEND THE COMPACT TERM**

**WHEREAS**, the State of California (State) and the Cher-Ae Heights Indian Community of the Trinidad Rancheria, California (Tribe) entered into a class III gaming compact on September 10, 1999 (1999 Compact); and

**WHEREAS**, the State and the Tribe, on October 8, 1999, modified the terms of the 1999 Compact by Addendum “A” to Tribal-State Gaming Compact Between the Trinidad Rancheria and the State of California (Addendum A); and

**WHEREAS**, the 1999 Compact took effect on May 16, 2000, upon publication of notice in the Federal Register that the Secretary of the United States Department of the Interior (Secretary) had approved the 1999 Compact as modified by Addendum A (65 Fed.Reg. 31189 (May 16, 2000)); and

**WHEREAS**, the 1999 Compact authorizes the Tribe to operate specified Gaming Activities, as provided therein, pursuant to the Indian Gaming Regulatory Act, 18 U.S.C. §§ 1166-1168, 25 U.S.C. § 2701 et seq. (IGRA); and

**WHEREAS**, section 11.2.1, subdivision (a) of the 1999 Compact as modified by Addendum A, Modification No. 4, reads as follows:

Once effective this Compact shall be in full force and effect for state law purposes until December 31, 2020. No sooner than eighteen (18) months prior to the aforementioned termination date, either party may request the other party to enter into negotiations to extend this Compact or to enter into a new compact. If the parties have not agreed to extend the date of this Compact or entered into a new compact by the termination date, this Compact will automatically be extended to June 30, 2022, unless the parties have agreed to an earlier termination date.

and

**WHEREAS**, under the terms of Addendum A, section 11.2.1, subdivision (a), the termination date of the 1999 Compact was extended to June 30, 2022, and the 1999 Compact now shall terminate on that date; and

**WHEREAS**, in November 2021, the Assistant Secretary – Indian Affairs, through his delegated authority from the Secretary, disapproved class III gaming compacts for three federally recognized Indian tribes in California that had been negotiated with the State, creating substantial uncertainty for the State and the Tribe in developing a new class III gaming compact that would be approved under IGRA and take effect prior to the June 30, 2022 termination date of the 1999 Compact; and

**WHEREAS**, an extension to the 1999 Compact under IGRA does not require approval by the Secretary so long as the extension does not include any amendment to the terms of the 1999 Compact (25 C.F.R. § 293.5); and

**WHEREAS**, this amendment will not change, and is not intended by the Tribe and the State to change, any terms of the 1999 Compact except for extending the termination date provided in section 11.2.1, subdivision (a); and

**WHEREAS**, the Tribe and the State recognize that this amendment is authorized and negotiated and shall take effect pursuant to IGRA upon the date on which a statute, approved by the California Legislature and signed into law by the Governor ratifying this amendment, is chaptered by the California Secretary of State; and

**WHEREAS**, nothing in this amendment or the 1999 Compact shall preclude the State and the Tribe from entering into another amendment to further extend the date in section 11.2.1, subdivision (a) of the 1999 Compact, and the State and Tribe anticipate discussing the need for another compact extension no later than July 2023 if the parties have not reached an agreement on a new compact by that date.

**NOW, THEREFORE**, the State and the Tribe, for good and valuable consideration, including their mutual intent to maintain the 1999 Compact while negotiating a new class III gaming compact in light of the Secretary's recent action, hereby agree as set forth herein:

The first sentence of section 11.2.1, subdivision (a) of the 1999 Compact is repealed and replaced by the following:

**Sec. 11.2.1.** Effective. (a) Once effective this Compact shall be in full force and effect for state law purposes until December 31, 2023.

**IN WITNESS WHEREOF**, the undersigned sign this amendment solely to extend the term of the 1999 Compact on behalf of the State of California and the Cher-Ae Heights Indian Community of the Trinidad Rancheria, California.

STATE OF CALIFORNIA



By Gavin Newsom  
Governor of the State of California

Executed this 11 day of May,  
2022, at Sacramento, California


CHER-AE HEIGHTS INDIAN  
COMMUNITY OF THE TRINIDAD  
RANCHERIA, CALIFORNIA



By Garth Sundberg, Sr.  
Tribal Chairperson of the Cher-Ae  
Heights Indian Community of the  
Trinidad Rancheria, California

, Executed this 15<sup>th</sup> day of April,  
2022, at Trinidad,  
California

**ATTEST:**

  
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Shirley N. Weber, Ph.D.  
Secretary of State, State of California