

**SECOND AMENDMENT TO THE**

**TRIBAL-STATE COMPACT**

**BETWEEN**

**THE STATE OF CALIFORNIA**

**AND THE**

**BERRY CREEK RANCHERIA OF MAIDU**

**INDIANS OF CALIFORNIA**

**SECOND AMENDMENT TO THE TRIBAL-STATE COMPACT  
BETWEEN THE STATE OF CALIFORNIA  
AND THE BERRY CREEK RANCHERIA OF MAIDU INDIANS OF  
CALIFORNIA TO EXTEND THE COMPACT TERM**

**WHEREAS**, the State of California (State) and the Berry Creek Rancheria of Maidu Indians of 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 Tyme Maidu Tribe, Berry-Creek 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

**WHEREAS**, on May 11, 2022, the Tribe and the State executed the Amendment to the Tribal-State Compact Between the State of California and the Berry Creek Rancheria of Maidu Indians of California (First Extension) extending the termination date of the 1999 Compact to December 31, 2023, and the 1999 Compact now shall terminate on that date; 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), as amended by the First Extension; 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, the 1999 Compact, or the First Extension 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.

**NOW, THEREFORE**, the State and the Tribe, for good and valuable consideration, including their mutual intent to maintain the 1999 Compact pending a new class III gaming compact, hereby agree as set forth herein:

The first sentence of section 11.2.1, subdivision (a) of the 1999 Compact, as amended by the First Extension, 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, 2024.

**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 Tribe.

STATE OF CALIFORNIA



By Gavin Newsom  
Governor of the State of California

Executed this 20 day of July  
2023, at Sacramento, California

BERRY CREEK RANCHERIA OF  
MAIDU INDIANS OF CALIFORNIA



By Francis Steele, Jr.  
Chairperson of the Berry Creek  
Rancheria of Maidu Indians of California

Executed this 21<sup>st</sup> day of June  
2023, at Oroville  
California

**ATTEST:O**



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

