

**BEFORE THE  
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
OF THE STATE OF CALIFORNIA**

**IN THE MATTER OF THE ACCUSATION  
AGAINST:**

Bear River Casino  
Db a Bear River Casino  
11 Bear Paws Way  
Loleta, CA 95551-9684

**FILE: 47-423392**

**REG: 08070211**

**AB-9047**

On-Sale General Public Eating Place License,  
**under the Alcoholic Beverage Control Act.**

**DECISION FOLLOWING APPEALS BOARD DECISION**

The above-entitled matter is before the Department of Alcoholic Beverage Control (Department) for decision following a decision of the Alcoholic Beverage Control Appeals Board (Board) filed on November 23, 2010.

In its decision, the Board determined that, since the issuance of the Department's original decision in this matter, a new federal agency now has jurisdiction over the intersection in question, and respondent/licensee has made substantial progress in its efforts to navigate the apparent conflicts between various government entities and thus comply with Condition 8 on its license. Although not expressly stated, the Department understands this to be a determination by the Board that there is new evidence that was not available at the time of the original proceedings.

The Board ordered that the matter be remanded to the Department for several reasons: (1) to provide an opportunity to determine whether the steps taken by respondent/licensee comply or substantially comply with Condition 8; and (2) to give both respondent/licensee and accuser/protestant Singley Hill Homeowners Association an opportunity to voice their respective positions and concerns.

The Department, having reviewed the entire record, hereby adopts the following as its ORDER in the case.

**ORDER**

The matter is remanded to Administrative Law Judge John W. Lewis, or other Administrative Law Judge of the Department's Administrative Hearing Office as may be necessary, for such further and additional proceedings as may be necessary and appropriate in the ALJ's sole discretion.

**CERTIFICATION**

It is hereby certified that on January 25, 2011, the Department of Alcoholic Beverage Control adopted the foregoing as its decision in the proceeding therein described.

Dated: January 25, 2011



Matthew D. Botting  
General Counsel

Pursuant to Government Code section 11521(a), any party may petition for reconsideration of this decision. The Department's power to order reconsideration expires 30 days after the delivery or mailing of this decision, or on the effective date of the decision, whichever is earlier.

Any appeal of this decision must be made in accordance with Chapter 1.5, Articles 3, 4 and 5, Division 9, of the Business and Professions Code. For further information, call the Alcoholic Beverage Control Appeals Board at (916) 445-4005.

**BEFORE THE  
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
OF THE STATE OF CALIFORNIA**

IN THE MATTER OF THE ACCUSATION AGAINST:

BEAR RIVER CASINO

BEAR RIVER CASINO  
11 BEAR PAWS WAY  
LOLETA, CA 95551-9684

ON-SALE GENERAL EATING PLACE

FILE : 47-423392  
REG. : 08070211  
AB: 9047

**DECLARATION OF  
SERVICE BY MAIL**

under the Alcoholic Beverage Control Act

The undersigned declares:

I am over eighteen years of age, and not a party to the within cause; my business address is 3927 Lennane Drive, Suite 100, Sacramento, California 95834. I served by X-CERTIFIED & \*-REGULAR mail a copy of the following documents:

DECISION FOLLOWING APPEALS BOARD DECISION

on each of the following, by placing same in an envelope(s) addressed as follows:

X- BEAR RIVER CASINO  
32 BEAR RIVER DR  
LOLETA, CA 95551

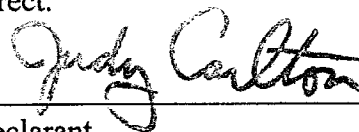
X- SINGLEY HILL HOMEOWNERS ASSC.  
ATTN: NOAH KRAHFORST & JIM MCVICKER  
PO BOX 755  
LOLETA, CA 95551

X- GEORGE FORMAN  
ATTORNEY AT LAW  
4340 REDWOOD HIGHWAY STE F228  
SAN RAFAEL, CA 94903

\*- Alcoholic Beverage Control Appeals Board  
300 Capital Mall, Suite 1245  
Sacramento, CA 95814  
(MESSENGER MAIL)

Each said envelope was then, on January 26, 2011 sealed and deposited in the United States Mail at Sacramento, California, the county in which I am employed, with the postage thereon fully prepaid.

I declare under penalty of perjury that the foregoing is true and correct.  
Executed on January 26, 2011 at Sacramento, California.



Declarant

Eureka District Office(interoffice mail)  
 Division Office(interoffice mail)

ABC-116 (1/00)