

# Catskills casino plan is put to rest

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SARATOGA SPRINGS — Local politicians and horseracing industry officials are praising the U.S. Bureau of Indian Affairs for rejecting a proposal to build a Native American casino within driving distance of New York City in the storied Catskill mountains.

The decision, issued Feb. 18, ends the effort by the Stockbridge-Munsee Band of Mohican Indians in Wisconsin to open a casino in the long economically depressed area, once a destination for top celebrities at world-class resorts in what was known as the Borscht Belt.

The proposal was made in the waning days of former New York Gov. David Paterson's administration last year as a way to bring much-needed jobs to the area and revenue to the state. But state and federal officials gave it long odds in recent weeks. The effort sought to combine two complex and usually separate issues — a casino application and settlement of ancestral land claims — in a novel legal approach.

“It is disheartening that the U.S. Department of the Interior has done an 11th-hour about-face by failing to support and finalize these agreements,” said Kimberly Vele, president of the Stockbridge-Munsee Band. “While we believe the department's rationale is weak, we are committed to resolving the issues.”

The tribe said the project would have generated \$925 million a year in economic activity and “removed a cloud over thousands of acres” in central New York state while creating a world-class casino creating thousands of jobs and millions of dollars in annual payments to the local county.

The proposal had the support of U.S. Sen. Charles Schumer, a New York Democrat who said he would, “continue to work with local leaders and the state to pursue all available options.”

Saratoga Springs officials and horseracing advocates spoke out on the proposal earlier this year with a letter from six New York racino operators and a resolution by the Saratoga Springs City Council delivered to Gov. Andrew Cuomo in January.

“The very success of the VLT gaming operation at Aqueduct and other VLT locations statewide is seriously threatened by the current promotion and prior state approval of a full casino gambling operation by a non-resident Indian tribe in the Catskills,” read the resolution, which was adopted unanimously.

On Monday, Mayor Scott Johnson said he was pleased that the measure had been tabled because he and the council had been lobbying against the casino, as it could've cut into the funds generated by the forthcoming racino at Aqueduct, profits that will benefit the New York Racing Association, which operates Saratoga Race Course.

“It's really somewhat inconsistent for New York state to award to Genting the Aqueduct VLT contract and in the 11th

hour do something to undermine the profitability of that operation,” Johnson said.

City Finance Commissioner Kenneth Ivins Jr. and Accounts Commissioner John Franck both echoed Johnson’s sentiments, with Franck calling the rejection, “really good news for the city of Saratoga Springs.”

Ivins noted that the danger of a casino in close proximity to both Aqueduct and Saratoga wasn’t only the potential loss of VLT revenue, but that Saratoga patrons may have also forgone a trip to the track in lieu of time at the casino.

“It would’ve been a challenge for them both to co-exist,” he said of the proposed casino and Resorts World New York, the name of the racino being built at Aqueduct.

“I think it was good news for everybody in New York state,” said Rick Violette, NYRA board member, trainer and president of the New York Thoroughbred Horsemen’s Association, calling the proposal a “smoke and mirrors deal.”

“In reality the state would’ve seen no tax revenue from any tribal casino in Sullivan County,” he said, calling the land claim “outdated” and adding that the state was well within its rights not to acknowledge the claim.

The Oneida Indian Nation, which is based in the central New York region where the Stockbridge-Munsee claimed territory, applauded the decision.

“The Stockbridge-Munsee have no legitimate claims to the lands of New York,” said Oneida Nation Representative Ray Halbritter. “The process was always destined to fail.”

“The elected officials that tried to push this deal through did a disservice to all people in New York by attempting to rewrite history to fit their narrow political interests,” Halbritter said in a clear jab at Paterson, the former Democratic governor.

Seneca Nation of Indians President Robert Odawi Porter also released a statement in support of the decision, saying approval would’ve “wreaked havoc” across the country.

Federal law requires that any Indian nation exercise government jurisdiction over its lands,” he said. “Obviously a Wisconsin tribe cannot do that in upstate New York.”

Officials in the Catskills turned to Indian tribes after efforts aimed at amending the state constitution to legalize casino gambling failed. Those efforts suffered a major blow in 2008 when the Bush administration’s Department of Interior rejected plans for separate Catskill casinos involving the St. Regis Mohawks of northern New York and the Stockbridge-Munsee. The federal government cited the great distance between the two tribes’ reservations and the casino sites.

So the Stockbridge-Munsee tried to merge its land claim and the casino effort, but it was met with great opposition by the Oneidas, who have a world-class casino in central New York, and by racetracks that operate video slot machine centers, which also provide the state with a cut of the proceeds.

“This is a battle for everybody,” said Bennett Liebman, executive director of the Government Law Center at Albany Law School, “and part of it is to block and part of it is to put yourself in a position where you can become fully operative commercial casinos.”

*Associated Press writers Michael Gormley and Michael Hill contributed to this report.*