

## ■ CASINO CHRONICLES #9

### Why doesn't the Buffalo News editorial page tell the truth?

The *Buffalo News's* April 18 casino editorial, "Buffalo casinos always scary," begins in gloom and quickly segues into a lie or an error: "Buffalo Sabres owner B. Thomas Golisano's arrival as the latest prominent addition to a growing anti-casino movement in Buffalo may be too late. The casino project is under way and only court decisions in casino-related lawsuits can halt it."

In point of fact, Mayor Byron Brown and the Common Council can halt it. They can stop it cold. Without any court order, they have the power and the authority to save the city. If the mayor and the Council do not issue easements affecting road use and access, if they don't agree to widen streets and reroute traffic, if they refused to authorize construction of new sewer and water lines, put up new traffic lights and provide extra police and fire services, nothing of substance is going to happen. Nothing.

The Seneca Buffalo Creek Gaming Corporation could opt for eyesore, as one of its representatives seems to have recently said in a threat to the Common Council. He was quoted as saying that if the Council didn't do what it was told, they'd put a dozen slot machines in a trailer on the property they bought from Carl Paladino, which Governor Pataki's compact would allow. Not very likely. Barry Snyder and his fellow board members might go for public vindictiveness, but few members of the Seneca Nation would back them.

The editorial writers then imply that the *News* has been saying all along that the Buffalo Creek casino would be picking local pockets, which is untrue. They say it was just the politicians who offered sugarplum visions of hordes of tourists, which is untrue: The politicians did it, but so did the *Buffalo News* and the casino representatives.

They say what we really should be doing is getting Albany to give us a bigger piece of the pie, which is meaningless. As Phil Fairbanks pointed out in the *Buffalo News* Sunday, the Niagara Falls casino returns to the Niagara Falls area \$11 million a year but in exchange it removes from the area's economy \$177 million a year. Don't these guys even read their own paper? What kind of cockamamie economics is that? You pay out \$177 million to get \$11 million back? Even if Albany were willing to give Buffalo a larger slice of the pie, which is unlikely, it wouldn't come close to compensating Buffalo for what it would have lost in the process.

The editorial ends with a variant of the same lie with which it began: "Golisano's support, along with major financial assistance from the Margaret L. Wendt Foundation and the moral backing of local religious leaders and some politicians, makes it easier for Citizens for a Better Buffalo to fund its fight to stop the casino. But at the end of the legal day, decisions will come from the federal and state courtrooms. Those decisions now will be grounded in the law and whether it was followed, not just in public opinion."

Public opinion does matter, and it is irresponsible for the *Buffalo News* editorial page to say otherwise. The Common Council and Mayor Brown will, at some point, respond to public opinion as much as they are responding now to past or future campaign contributors. If Byron Brown thinks the city's voters believe he is failing them or he has sold them out on this issue, he will stop failing them or selling them out on this issue. It's a simple matter of accounting; there is no issue of principle at stake in city hall.

We'll never know why the *Buffalo News* editorial writers have been publishing this trash. We can't see into their hearts. All you know in this life is what people do, and what the *Buffalo News* editorial page has been doing is misleading the Buffalo public.

Exactly the same exact thing happened before. During the Peace Bridge war the *Buffalo News* editorial page said again and again that the anachronistic steel twin span was a done deal and Buffalonians should just accept it and make the best of it. Then, because of a combination of public opinion and legal actions—just what is happening now with the two Citizens for a Better Buffalo lawsuits and the growing chorus of opposing voices—the supposedly done deal unraveled, and after a while the *Buffalo News* editorial page caught up with everyone else and began saying what a great opportunity we now had to do the right thing rather than the wrong one.

Maybe they'll get a chance to do the same thing this time. But why not do the right thing now, when it would help, rather than later, when it is inevitable?

—bruce jackson

## ■ BACKGROUND ON THE PLAYGROUND

### What the US Department of Energy says about the Niagara Charter School's neighborhood

On April 11, ground was broken for the long-delayed Niagara Charter School at 2077 Lockport Road, directly across the street from the Niagara Falls air base. It is Niagara County's first charter school.

Charter schools are controversial, and this one has drawn its share of critics, most of whom voice concerns familiar to those who have followed the debate over charter schools nationwide and throughout the region: Charter schools draw funds from local school districts in proportion to the number of students they lure away from public schools, putting already cash-strapped school districts in even more dire straits. This forces public schools to cut programming, which drives more students toward charter schools—a vicious circle. Moreover, critics say that there is no conclusive evidence that charter schools in New York State are providing a better education than the public schools to which they are an alternative.

That debate, with its underlying issues regarding the benefits of private versus public education, will not resolve itself any time soon. The Niagara Charter School offers another cause for controversy: its



location.

Between 1978 and 1979, the US Department of Energy commissioned EG&G Energy Measurements Group to conduct an aerial survey to document radiological contamination levels throughout Niagara County. The resulting survey maps—which were available on the US Army Corps of Engineers Buffalo District website until just a couple months ago, and have since disappeared—show a hot-spot whose epicenter is located close by the site of the new school. On the survey map, concentric contour lines emanate from the adjacent property, representing elevated radiation exposure rates. The lines encompass the location of the school itself. According to the survey, the radiation exposure risk is up to five times typical background levels.

In health physics and epidemiology circles, the definition of "typical background levels" is a debate as controversial and unending as are the matter of charter schools to educators. Typical of what? A pristine grassland in Patagonia? Or typical of Niagara County, which for the past 75 years has hosted—and continues to host—some of the worst polluters in the country's history? Do we define typical as "clean and safe"? In that case, should we not look back to the era before Niagara County became a dumping ground for its native chemical and metallurgical industries to define a baseline standard?

Too often the answers to these questions serve purposes other than public health and safety. Indeed, in the early years of the Manhattan Project and the Atomic Energy Commission, acceptable levels of risk to factory workers in facilities that handled toxic materials were routinely raised when production schedules demanded higher outputs.

The matter of how one defines typical background level, and how it relates to health risks, was recently a matter of great concern to local residents as a result of a gamma radiation survey conducted on the grounds of the nearby Lewiston-Porter Schools in February 2002 for the US Army Corps of Engineers. Many residents feel that a disproportionate number of teachers and children at the Lew-Port Schools have fallen ill, and even died, over the past few decades. The Lew-Port Schools are adjacent to the Niagara Falls Storage Site, a containment facility that hosts the world's largest depository of radium-

226—of African origin, as it happens, which is the variety that poses the greatest potential health risk to those who are exposed to it. The NFSS is another legacy of Niagara Falls industry's long history as a production, processing and waste storage center for toxic chemical and radioactive materials.

The question many residents had goes to the slippery nature of defining what background levels are or should be, and what they mean: If the Army Corps of Engineers say that the levels of the pollutants for which they tested the Lew-Port Schools do not exceed "background," does that mean there is no health risk? In a region that has seen so much and such cavalier disposal of toxic wastes, "typical" keeps getting higher and higher, even as scientists ever more vocally say there is no such thing as a "safe" level of exposure.

The construction site for the Niagara Charter School also is downwind of the BFI-Allied (formerly CECOS) landfill, the American Refuel incinerator and Stratcor, Inc. All are current polluters. Across the street from the school is Williams Advanced Materials, a division of Brush Wellman, a company associated with the processing of beryllium and a former contractor to the Manhattan Project and the Atomic Energy Commission.

In the worst case, the Niagara Charter School's location will further muddy how we measure health risks and typical background levels for pollutants. If whatever the federal government's aerial survey detected in 1979 is still there, then the bar for typical background levels of radiation on school sites in Niagara County, along with the attendant health effects, is about to rise. That construction began without a thorough environmental and historical investigation of the site is either careless or too sinister to imagine.

The Niagara Charter School is being built by Savarino Construction, which will lease the facility to the school for 20 years and is asking the Niagara County Industrial Development Agency to make the development tax-free for the life of that lease. Project manager Dave Pawlik did not respond to calls regarding Savarino's site selection process.

—geoff kelly & louis ricciuti