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Fall River

officials have told the Mashpee Wampanoag tribe that their \$21 million offer to purchase 300 acres in Fall River for a casino is off the table.

Instead, Fall River Mayor Will Flanagan and a contingent of city leaders are meeting with state economic development officials this morning to resurrect the idea of building a biotechnology park, known as the BioPark, on the land. The park would include a bioprocessing and training facility to be built by UMass Dartmouth.

A deed restriction prohibiting a casino on the property and an ongoing lawsuit brought by 10 taxpayers to block the sale to the tribe were hurdles too difficult to overcome, according to Kenneth Fiola, vice president of the Fall River Redevelopment Authority.

This appears to be another blow for the Mashpee Wampanoag, who have been pushing for a casino for nearly four years since gaining federal recognition in 2007. Once considered inevitable, the casino plan seems to be facing more and more snags.

In May, the tribe scrapped a casino deal it had with Middleboro in order to pursue the Fall River land with new investors. There had been vocal opposition to the Middleboro agreement.

On Tuesday, tribal council Chairman Cedric Cromwell issued a statement saying that the tribe is optimistic it will find a new site in Fall River.

"This remains an outstanding opportunity to create jobs for the tribe and the city, and we are working hard to make this project a reality," Cromwell said.

Flanagan announced in May the city had reached a deal with the Mashpee Wampanoag to sell them the 300 acres near Route 24. The tribe said it would build a \$500 million resort casino that would include three hotels and a shopping mall.

Written by Administrator

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City and state officials raised immediate questions about the proposal because of a deed restriction that banned both a landfill and casino at the site and because the state had already invested \$34 million to build an exit off Route 24 for the BioPark.

But Flanagan and Cromwell pressed forward, saying casino jobs would make an immediate impact on the city's double-digit unemployment rate and that they could convince the Legislature to remove the deed restriction. In October, the Redevelopment Authority agreed to sell 45 acres to the tribe for \$4.5 million. The tribe also had an option on 255 additional acres for \$16 million.

No money ever changed hands, and before the city and tribe leaders had a chance to sign a written agreement, a lawsuit was filed to block it. In addition to the deed restriction, the suit objected to the Redevelopment Authority selling the land without it going out to competitive bid.

A Bristol Superior Court judge imposed a preliminary injunction that has so far thwarted the city's efforts to sell the land to the tribe. That case continues to wend its way through the court.

In the end, the city couldn't push aside the state's agreement to invest \$15 million and UMass kicking in an additional \$8 million for a biotechnology facility when the casino deal had "so much uncertainty," Fiola said.

"Our preference is to have both a casino and a BioPark," he said, "but we're not going to lose both."

With the deal to sell the 300 acres to the tribe dead, the Redevelopment Authority is now looking for a new tract of land for the Wampanoag casino, Fiola said, although he declined to say what sites are being considered.

"I talk to (the tribe) regularly," he said. "We agree strongly with the establishment of a casino in the city."

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For now, Flanagan is headed to the Statehouse to tout the 8,000 jobs that a BioPark could bring to his city over the next 10 to 15 years.

But Fiola said Fall River still believes that a \$500 million casino could create 4,500 permanent jobs, as well.

"The Legislature is going to take up and pass casinos, so we want to be in a position to capitalize on it," Fiola said.

Several bills have been filed on Beacon Hill, and House Speaker Robert DeLeo has said he wants the Legislature to deal with the issue early in this session. But Senate President Therese Murray and Gov. Deval Patrick have been lukewarm to the idea of renewing the debate.

In July, Patrick refused to sign a compromise gambling bill that included three resort casinos and slots at two of the state's race tracks.

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