

From “**RI General Law Chapter 46-28 The Rhode Island Rivers Council**”:

§ 46-28-8 Local watershed councils. (a) The rivers council shall establish and recognize local watershed councils to implement the rivers policy as adopted in accordance with the provisions of this chapter and set forth in the state guide plan. Unless a watershed is solely within one municipality's boundaries, each local watershed council shall be comprised of members from each municipality within the watershed area as designated by the department of environmental management. Such local watershed councils may be existing organizations where appropriate.

□ (b) Local watershed councils shall have standing to present testimony in all state and local administrative proceedings which impact on rivers and water quality and shall receive notice, pursuant to rules adopted by the council, from state or city and town agencies regarding proposed actions pertaining to projects, developments and activities located wholly or partially within the watershed represented by the local watershed council.

□ (c) Each local watershed council shall be a body corporate and politic, having a distinct legal existence from the state and any municipality within the watershed area in which such local watershed council is located. Each local watershed council shall have power:

□ (1) To advise and make recommendations for the watershed in the municipality where such watershed is located for the preparation or revision by the municipality of its comprehensive land use plan pursuant to the Rhode Island Comprehensive Planning and Land Use Regulation Act with regard to achieving and maintaining classifications assigned by the rivers council;

□ (2) To advise the municipalities with regard to public access to rivers for the preparation or revision by the municipality of a comprehensive land use plan pursuant to the Rhode Island Comprehensive Planning and Land Use Regulation Act;

□ (3) To establish and support river watch programs for the protection of the watershed in which it is located;

□ (4) To negotiate payments between two (2) or more of the municipalities within the watershed for the conduct of services or the erection of projects necessary for the purposes of the local watershed council, subject to majority vote of each of the city and town councils participating in each program or project;

□ (5) To acquire, hold, use, lease, sell, transfer, and dispose of any property, real, personal, or mixed, or interest or interests thereon;

□ (6) To own, operate, maintain, repair, improve, enlarge, and extend, in accordance with the provisions of this chapter, any property acquired hereunder, all of which, together with the acquisition of such property, are hereby declared to be public purposes; and

□ (7) To sell, lease, convey, or otherwise dispose of to any of the municipalities within the watershed any property or improvements thereto, which the local watershed council may hereafter acquire or construct; provided, however, that any sale, lease, conveyance, or other disposition of the property shall not prejudice or adversely affect any service which the local watershed council is providing to any other participating city or town;

- (8) To sue and be sued in connection with any contracts made by, real estate or personal property owned by or leases or conveyances made by the local watershed council;
- (9) To adopt and order a corporate seal;
- (10) To make bylaws for the management and regulation of its affairs;
- (11) To borrow money for any of its corporate purposes including the creation and maintenance of working capital;
 - (12) To fix rates and collect charges for the use of the facilities of or services rendered by or any commodities furnished by the local watershed council; and to pay as the same shall become due the expenses of operating and maintaining the properties of the river watershed council;
- (13) To contract in its own name for any lawful purpose which would effectuate the purposes of this chapter; to execute all the instruments necessary to carry out the purposes of this chapter; to do all things necessary or convenient to carry out the powers expressly granted by this chapter. It is the intention of the legislature that any property acquired by the local watershed councils pursuant to the provisions of this chapter shall be financed as a self-liquidating enterprise, and that any indebtedness incurred by the local watershed councils shall be payable solely from the earnings or revenues derived from all or part of the property acquired by such river watershed council. Any indebtedness incurred by the local watershed councils shall not be deemed to constitute a debt or a pledge of the faith and credit of the state or of any municipality;
- (14) To enter into cooperative agreements with other cities and towns, for any lawful corporate purposes necessary and desirable to effect the purposes of this chapter;
- (15) In the performance of its functions the local watershed council may recommend to municipalities land and water conservation programs consistent with the state rivers policy provided for in § 46-28-7;
- (16) To apply for, contract for, and expend any federal or state advances or grants or assistance which may be made available for purposes of this chapter.