

CHAPTER 1

What is an Environmental Advisory Council?

Pennsylvania's municipal environmental advisory councils (EACs) are officially created, appointed arms of municipal government that focus exclusively on environmental conservation and improvement. EACs act as advisors to the governing boards that appoint them, and to the local planning commissions, giving municipal governments a pool of "hometown talent" to draw upon when they make decisions affecting the environmental resources in their communities. EACs undertake a wide variety of projects and information-gathering tasks, providing energy and objective, in-depth analysis about environmental resource issues. Since municipal ordinances and decisions based upon sound science withstand the tests of scrutiny and time, EACs can be a huge benefit to the communities that create them. Any municipality or group of municipalities in Pennsylvania may create an EAC by ordinance.



Left: City of Easton, Environmental Advisory Council, 2013. Left to right: Ian Kindle, Tess Mondello, Pat Janssen, Sarah Berg, Caroline Bissell, William Dohe and Charles Elliot.

The EAC Network

In 1990, to both strengthen existing EACs and encourage the creation of new ones, the Pennsylvania Environmental Council created *The EAC Network*, to offer assistance and programs specifically for EACs. In late 2013, the administration of the EAC Network was transferred to the Pennsylvania Land Trust Association. The EAC Network provides EACs with opportunities to communicate with each other, share information and collaborate on a multi-municipal basis.

As more and more communities establish EACs and become a part of The EAC Network, the cumulative effect of local environmental awareness benefits individual communities, regions, and the entire state.

Essential Tips for Successful EACs

The EAC Mission: to advise on matters dealing with the protection, conservation, management, promotion and use of natural resources located within your municipality.

- The EAC is an official government council. Work with your municipality, not against it.
- Understand your local government structure and who works within it. Establish relationships with other municipal officials.
- Be positive and constructive.
- Attend other municipal meetings to provide EAC input and presence.
- Share EAC minutes with other boards. Ask them to reciprocate.
- Prioritize your projects. Evaluate your progress. Do a few projects well – rather than leave many unfinished.
- Be familiar with your local ordinances.
- Gain the support of your elected officials early on in your project development process.
- EAC membership is a commitment. Come to meetings. Share the work.
- Research, analyze, come to consensus and then speak. Stand behind your EAC's official opinions.
- Respect differing points of view and approaches to a problem.
- Keep excellent, organized records.
- Understand the Sunshine Law. Welcome anyone wishing to sit in on EAC meetings. Allow for public comment.
- Inform your community about your accomplishments and recommendations.
- Work with other groups in your community (e.g., schools, civic groups and businesses) to gain more volunteers.
- Share ideas with and support other EACs regionally and across the state.

“EACs advise the local government agencies, including, but not limited to, the planning commission, recreation and park board and elected officials on matters dealing with the protection, conservation, management, promotion and use of natural resources located within the municipality’s territorial limits.”

— State Enabling Statute



Who should be an EAC member?

While EAC members often represent a wide variety of backgrounds, it is always helpful to recruit members with educational and professional expertise in areas such as planning, environmental science, and policy and development. EACs may also have associate members, if provided for in the municipal enabling legislation. Associate membership can be a valuable addition to EACs, providing expertise and a pool for new EAC members.

Authority for Creation of an EAC

In 1973, the Pennsylvania General Assembly passed Act 148 authorizing any municipality or group of municipalities to establish, by ordinance, an EAC. In 1996, Act 177 was passed, which amended Act 148. This State enabling statute, Act 148 of 1973, as amended in 1996 by Act 177, is included in Appendix I. For the remainder of this handbook, Act 148 as amended, will be simply referred to as “Act 148.”

Specific Powers

Act 148 empowers EACs to:

- Identify environmental issues and recommend plans and programs to the appropriate municipal agencies for the promotion and conservation of natural resources and for the protection and improvement of the quality of the environment within its territorial limits.
- Make recommendations for the use of open land areas.
- Promote a community environmental program.
- Keep an index of all open space, publicly or privately owned, including flood-prone areas, swamps and other unique natural areas, for the purpose of obtaining information on the proper use of those areas.
- Advise the appropriate local government agencies, including the planning commission and recreation and park board and the elected governing body, on the acquisition of property, both real and personal.

Multi-Municipal Collaboration

EACs and local governments are most effective when they are able to work on a multi-municipal basis. Our natural resources are divided up among the over 2,500 local governments in the state. EACs are an effective means for neighboring communities to collaborate on water resource protection, stormwater, air quality, open space and greenways and myriad other environmental matters that transcend municipal boundaries. By working together, EACs can help establish relationships between local governments and maintain connections between our natural resources.

Act 148 gives individual municipalities the authority to join with neighbors to form regional, multi-municipal EACs. Multi-municipal EACs are desirable and effective because they provide a mechanism for neighboring local governments to join together to focus on natural systems such as watersheds, forests or aquifer recharge areas as units rather than as fragments. The regional perspective offered by a multi-municipal EAC establishes a cohesive, long-term vision as the group plans for natural resource protection. For a sample multi-municipal EAC ordinance and by-laws, see Appendix IV and V.

Upper left: Kutztown Borough, Berks County, EAC Chair Jeri Carroll (left) and Secretary Tara Erney (right) host a booth at a community event. Photo courtesy of Karen Feridun.

Membership and Terms

Act 148 stipulates that an EAC may be composed of 3 to 7 members, who serve without compensation and are appointed to staggered three-year terms. EACs with three members can function effectively, however, a full complement of seven members enables access to a wider range of expertise and the ability to undertake more projects.

Members are appointed by the local governing body. In the case of multi-municipal EACs, each participating municipality appoints an equal number of members to serve on the council. Act 148 states that “whenever possible, one member shall also be a member of the municipal planning board.” This cross-representation is an important factor in the effectiveness of an EAC.

Officers

The governing body selects the chair of a council, except in the case of a multi-municipal EAC, where the council itself selects the chair. The enabling legislation does not mention the election of other officers, but the general practice in Pennsylvania is to provide for the election of other officers, such as vice chair or recording secretary, at the January meeting.

Funding

Act 148 enables local governments to appropriate funds for the operation of EACs to cover administrative, clerical, printing and legal service costs. The amount of the appropriation is to be determined by the local governing body. All or part of any funds appropriated in a year may be expended, placed in a conservation fund or allowed to accumulate from year to year.

Budget

Act 148 does not mandate that EACs have designated funding; therefore, EACs in Pennsylvania operate on whatever funds are designated for them by the governing body, in addition to any grants, project funds, and fundraising is done. A governing body may want to consider a minimum budget (\$500 to \$1000) to cover the basic operating expenses that will enable a council to function effectively. It is advisable for an EAC to prepare an annual budget report to submit to the local governing body. Expense and income reports may be included as well. To keep the EAC informed regarding the budget, the treasurer should report on the status of funds at each meeting.

Other Sources of Revenue

Act 148 does not specifically address the issue of an EAC raising funds for its activities; however, this is a common function of an EAC. Because they are a part of local government, EACs can receive state and federal grant funding from various government sources by applying through their municipalities. The PA DCNR Funding Guide is a great resource for finding grant opportunities. This guide is available on DCNR’s website.

Other ways to fund EAC projects include securing gifts, holding fundraisers and partnering with other groups to access funds not typically available to governmental units (e.g., foundations).

Mandated Responsibilities

The enabling legislation requires each council to keep records of meetings and activities and to issue an annual report, which should be distributed with the municipality’s annual report or made available to the public in other ways.

Possible Operating Expenses

- Printing of literature
- Courses and conferences for council members
- Office supplies and postage
- Compensation for municipal secretarial assistance
- Sponsorship of educational programs for local residents
- Dues for affiliation with environmental, educational and planning organizations
- Publication and distribution of a council newsletter
- Organization of park or town cleanup programs
- Public relations/outreach