

[REDACTED]

June 18, 2025

Office of Attorney General
Agriculture, Communities and Rural Environment (ACRE) Program
Pennsylvania Office of Attorney General
15th Floor, Strawberry Square
Harrisburg, PA 17120

Subject: Formal ACRE Complaint - Caln Township Ordinance §155-37.2 -

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To Whom It May Concern:

[REDACTED] located at [REDACTED] hereby submits this formal complaint under the Agriculture, Communities and Rural Environment (ACRE) law, concerning the unlawful restrictions being imposed by Caln Township (Chester County) on a timber harvesting operation planned for the property of:

Landowner: [REDACTED]

Property Address: [REDACTED] (Caln Township, Chester County)

We respectfully request that the Attorney General's Office investigate this matter pursuant to the authority granted under Act 38 of 2005 (ACRE) and initiate appropriate enforcement action against the Township.

Caln Township is enforcing Ordinance §155-37.2, which includes a number of provisions that unreasonably restrict timber harvesting and directly violate protections afforded under the

Pennsylvania Municipalities Planning Code (MPC §603(f)) and ACRE.

1. Excessive Permit Trigger - §155-37.2.B Permit required if more than five trees per acre are harvested. This is unreasonable and violates MPC §603(f).
2. Mandatory Forest Management & Replanting Plans - §155-37.2.B-D. These requirements exceed what state law allows and conflict with ACRE protections.
3. Harvesting Limits Based on Basal Area - §155-37.2.F(7)-(8) These restrictions are arbitrary and unsupported.
4. 100-Foot No-Cut Buffer Around Watercourses - §155-37.2.F(9) A blanket buffer is not justified under DEP or MPC rules.
5. Requirement for Engineering-Level Surveys - §155-37.2.B(2)(c): Excessive and cost-prohibitive for private timber operations.
6. Uncapped and Vague Fee Requirements - §155-37.2.F: These create unreasonable financial burden and enforcement ambiguity.

Additionally, in an email from [REDACTED] Director of the Department of Building and Life Safety at Caln Township, it was stated that the Township is 'very big on sustainability and preservation of their wooded area.' While such values are understandable, the legal right to practice forestry is protected under Pennsylvania law and is not subject to discretionary denial by the Township. Residents have a legal right to conduct lawful forestry operations, and it is not within the Township's authority to impose restrictions based on a philosophical or policy preference for preservation.

We request that the Office of Attorney General investigate this ordinance under the ACRE program and take appropriate steps to ensure Caln Township ceases enforcement of the unlawful provisions. We are prepared to provide the ordinance text, email correspondence, and other supporting documentation.

Sincerely,

[REDACTED]
[REDACTED]
[REDACTED]