

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

House Bill 2972

By Delegates Moore, Dittman, Drennan, Dillon, and

Coop-Gonzalez

[Introduced February 25, 2025; referred to the

Committee on Energy and Public Works]

1 A BILL to amend and reenact §19-1B-3 of the Code of West Virginia, 1931, as amended, relating
2 to changing the exceptions for timbering operations.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 1B. SEDIMENT CONTROL DURING COMMERCIAL TIMBER HARVESTING
OPERATIONS.**

§19-1B-3. Definitions.

1 (a) "Best management practices" means sediment control measures, structural or
2 nonstructural, used singly or in combination, to reduce soil runoff from land disturbances
3 associated with commercial timber harvesting.

4 (b) "Chief" means the Director of the Division of Water and Waste Management of the
5 Department of Environmental Protection, or his or her designee.

6 (c) "Director" means the Director of the Division of Forestry of the Department of
7 Commerce or his or her designee.

8 (d) "Operator" means any person who conducts timbering operations.

9 (e) "Timbering operation," or the plural, means activities directly related to the severing or
10 removal of standing trees from the forest as a raw material for commercial processes or purposes.
11 For the purpose of this article, timbering operations do not include the severing of evergreens
12 grown for and severed for the traditional Christmas holiday season; the severing of trees incidental
13 to ground-disturbing construction activities, including well sites, access roads and gathering lines
14 for oil and natural gas operations; the severing of trees for maintaining existing, or during
15 construction of, rights-of-way for public highways or public utilities or any company subject to the
16 jurisdiction of the Federal Energy Regulatory Commission; ~~unless the trees so severed are being~~
17 ~~sold or provided as raw material for commercial wood product purposes or the severing of trees by~~
18 ~~an individual on the individual's own property for his or her individual use provided that the~~
19 ~~individual does not have the severing done by a person whose business is the severing or removal~~

20 of trees.

21 (f) "Sediment" means solid particulate matter, usually soil or minute rock fragments, moved
22 by wind, rainfall or snowmelt into the streams of the state.

NOTE: The purpose of this bill is to change the exceptions for timbering operations.

Strike-throughs indicate language that would be stricken from a heading or the present law
and underscoring indicates new language that would be added.