



West Virginia Division of Forestry
www.wvforestry.com
Joe Manchin III, Governor
Randy Dye, Director/State Forester

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Suspended logger pleads guilty to logging code violations

ELKINS, W. Va. -- On Feb. 1, James Biggs of Valley Head, W.Va., pled guilty before Randolph County Magistrate Mike Riggelman to eight logging code violations totaling \$5,316, including court costs.

The violations, all misdemeanors, stem from a criminal complaint filed in November 2009 by state Forester John Mowrey. In his written statement, Mowrey said he investigated a logging complaint on Nov. 3 in Randolph County and found James Biggs and Jason Biggs cutting trees on property belonging to Woody Goins, who also was present. Mowrey said James Biggs told him Goins had hired him to cut trees away from his buildings.

"I explained to Jimmie that since he and Jason didn't have a valid timbering license, certified logger, timbering operation notification form and were suspended by the West Virginia Division of Forestry (WVDOF), there was only one way they could be working there and sell logs legally," Mowrey wrote in his complaint. James Biggs, Jason Biggs and/or Biggs Logging Co. LLC had been under suspension until corrective actions specified in previous compliance and suspension orders had been performed.

Mowrey said he told the men that in order for the sale to be legal, Goins would have to complete an exemption form and submit it to the WVDOF. Upon approval, Goins could accept payment for his own logs and then pay James Biggs for doing the work. Mowrey said he then gave Goins a blank exemption form and left his phone number with the men if they had further questions.

On Nov. 10, Mowrey said he learned that James Biggs had sold two loads of logs to Fox Lumber Co., also in Randolph County – one on Oct. 30 and the other on Nov. 4 – and accepted payment for the loads in the form of checks endorsed to Biggs. The first load had come from property belonging to Goins' neighbor, Milton Carney, and the second had come from Goins' property.

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Regional Offices
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The action was a violation of West Virginia Code Chapter 19 Article 1B Section 4, “requiring a valid timbering license”; Section 5, “prohibiting work, other than corrective actions, under suspension”; Section 6, “requiring a notification; and Section 7, “requiring a valid certified logger.” Each of these codes had been violated twice, once for each load of logs, Mowrey said.

To find out more about logger certification, logging codes and timber exemption forms, visit the Division of Forestry’s Web site at www.wvforestry.com.

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