

CONGRESSIONAL
SPORTSMEN'S
FOUNDATION

To: **Hon. Randy Smith**
Senate President
West Virginia State Senate

Re: **Senate Bill 886 – Fire Control on Private Property**

Position: **Support**

Date: **2/23/2026**

Dear Senate President Smith,

On behalf of the Congressional Sportsmen's Foundation, I write to express our strong support for Senate Bill 886, which would facilitate prescribed fire use on private property. Prescribed fire is an important tool for enhancing wildlife habitat, improving forest stand conditions, and reducing hazardous fuels to decrease severe wildfire risk. The current statutory framework, however, is not conducive to conducting prescribed burns on private property. Senate Bill 886 addresses the current limitations, and we therefore respectfully encourage you to support the legislation to promote prescribed burning on private property.

Founded in 1989, the Congressional Sportsmen's Foundation (CSF) is the informed authority across outdoor issues and serves as the primary conduit for influencing public policy. Working with the Congressional Sportsmen's Caucus (CSC), the Governors Sportsmen's Caucus (GSC), and the National Assembly of Sportsmen's Caucuses (NASC), CSF gives a voice to hunters, anglers, recreational shooters, and trappers on Capitol Hill and throughout state capitols advocating on vital outdoor issues that are the backbone of our nation's conservation legacy.

Specifically, Senate Bill 886 expands the definition of prescribed fire to include private property and creates rulemaking authority for the Director of the West Virginia Division of Natural Resources for prescribed fire control on private property. The legislation also creates limited liability protections for certified prescribed fire managers conducting prescribed burns in accordance with the statutory requirements designed to ensure that prescribed fires are conducted safely by experienced professionals. Combined, these changes will reduce barriers to conducting prescribed burns on private forests and farms in the state.

The current uncertain liability standard for certified prescribed fire managers discourages the use of prescribed fire. Senate Bill 886 balances private property rights and public safety by

establishing a simple negligence standard for certified prescribed fire managers conducting prescribed burns in accordance with the statutory guidelines. Senate Bill 886 makes prescribed burning safer for landowners and the public while providing clarity for certified prescribed fire managers.

Fire-adapted forests in West Virginia benefit from regular, low-intensity fires that support regeneration, increase nutrient availability in the soil, control insects and disease, and manage competing vegetation, including non-native species. Prescribed burning enhances wildlife habitat for a range of nongame and game species, including wild turkey, White-tailed deer, and black bear, by increasing vegetative diversity and the availability of forbs and grasses, improving cover, and creating diverse habitats across the landscape.

In closing, we respectfully encourage you to support Senate Bill 886 to reduce barriers limiting prescribed burning on private property to support forest health, wildlife habitat, and West Virginia's outdoor sporting traditions that benefit from prescribed fire. Thank you for considering our input.

Sincerely,



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