
March 26, 2026

The Honorable Michael Boren
Under Secretary
U.S. Department of Agriculture
1400 Independence Ave, SW
Washington, D.C. 20250

Dear Under Secretary Boren,

Thank you for helping Midstate Electric Cooperative in Oregon address the challenges its General Manager, Jim Anderson, raised before the House Natural Resources Committee about utility wildfire mitigation on National Forest lands. Your efforts to facilitate expedited permitting and approvals will help Midstate improve the reliability of its electricity service and reduce risk of wildfire in the Deschutes National Forest.

Cooperatives across the nation commonly encounter similar challenges when operating on National Forest lands. We urge the Forest Service to implement the expedited utility permitting and approval processes used for Midstate consistently across the entire National Forest System. We also encourage the Forest Service to reduce or eliminate strict liability provisions which hold cooperatives liable for fires on public lands that they do not cause.

Electric cooperatives serve 42 million Americans across 56% of our nation's landmass, including more public lands, national forests, and agriculture areas than any other type of electric utility. Cooperatives work hard to reduce risk of wildfire in and around their systems, often located in remote and hard-to-reach areas. Forest Service approvals for utility wildfire mitigation work, however, are frequently delayed or even denied.

We have long asked the Forest Service to expedite permitting and approval processes for vegetation management, timber removal, right-of-way expansion and access, and siting of new transmission and distribution lines. The Forest Service can use categorical exclusions; programmatic NEPA; master use and special use permit provisions; expedited endangered species and historic preservation processes; and permitting authorities granted by executive order to more efficiently approve this critical work.

We also urge the Forest Service to reduce or eliminate strict liability requirements, which hold cooperatives liable for up to \$1 million, plus fire suppression costs and natural resources damages, even for fires they do not cause. Our members are not-for-profit and operate at cost. Liabilities of this magnitude can cause bankruptcy, difficulties obtaining insurance, and increase electricity rates in rural communities.

Eliminating strict liability will help ensure that cooperatives, and the rural Americans they serve, are not held financially responsible for fires in which they played no role.

Ensuring that utilities can conduct effective and timely wildfire mitigation of federally managed lands is crucial for our nation's energy reliability and affordability. NRECA appreciates your partnership, and that of Chief Schultz, in resolving these challenges. Please contact Megan Olmstead at (571) 419-4585 or at Megan.Olmstead@nreca.coop if you have any questions.

Respectfully,

A handwritten signature in black ink, appearing to read "Jim Matheson", with a long horizontal flourish extending to the right.

Jim Matheson

CEO

National Rural Electric Cooperative Association

Cc. The Honorable Brooke Rollins
The Honorable Harriett Hageman
Chief Tom Schultz