

## Chapter 10 Preparedness

### 3 Preparedness Overview

4 The Service Fire Management Handbook incorporates, by reference, all  
5 guidance in the [Interagency Standards for Fire and Fire Aviation Operations](#)  
6 (Redbook, NFES #2724) Chapter 10 in addition to the following Service specific  
7 clarifications:

### 8 Preparedness Plan

9 Refer to the [Interagency Standards for Fire and Fire Aviation Operations](#)  
10 (Redbook, NFES #2724) Chapter 10 for general Preparedness Plan definitions  
11 and information.

### 12 Preparedness Level/Step-Up Plans

13 Refer to the [Interagency Standards for Fire and Fire Aviation Operations](#)  
14 (Redbook, NFES #2724) Chapter 10 for general Preparedness Level/Step-up  
15 definitions and information.

16 The Step-Up Plan (example in Exhibits 10-1 and 10-2) will be reviewed and  
17 updated annually based on more current weather information as well as lessons  
18 learned from previous year(s). The Step-Up Plan:

- 19 • Will include an introduction explaining the purpose of Step-Up Plan,  
20 how breakpoints were derived, weather station(s) utilized, potential  
21 issues with weather data, etc.
- 22 • Will contain accurate breakpoints between preparedness (staffing)  
23 levels.
- 24 • Will be based on National Fire Danger Rating System (NFDRS) or  
25 Canadian Fire Danger Rating System (CFDRS) derived indices.  
26 NFDRS indices include Burning Index (BI), Ignition Component (IC),  
27 Energy Release Component (ERC), and Spread Component (SC). The  
28 Step-Up Plan may also include other locally used indices such as  
29 Drought monitor, Live Fuel Moisture (LFM), Keetch-Byram Drought  
30 Index (KBDI), etc.
- 31 • Will include a description of actions taken at each preparedness  
32 (staffing) levels.

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1 Exhibit 10-1

XYZ WEATHER STATION (WIMS #)							
Data 1994 through 2004							
Analysis Period 04/01 – 10/31							
Description		Model T		Model G		Model L	
Danger Rating Adjective Class	Preparedness Level	ERC Range	BI Range	ERC Range	BI Range	ERC Range	BI Range
Low	I			0 - 18	0 - 20	0 - 10	0 - 9
Moderate	II			19 - 36	21 - 40	11 - 19	10 - 17
High	III			37 - 71	41 - 80	20 - 39	18 - 34
Very High	IV			72 - 90	81 - 98	40 - 50	35 - 42
Extreme	V			> 90	> 98	> 50	> 42

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3 Exhibit 10-2

STAFFING & ADJECTIVE CLASS DETERMINATION GUIDE	DESCRIPTION	ACTIONS TO BE TAKEN
<p><b>Staffing Class I</b></p> <p>Adjective Class:</p> <p>Low</p> <p>Determination Guide:</p> <p>Four of the five criteria within description column fall within identified ranges for this severity level.</p>	<p>Numbers below for BI, ERC, and KBDI represent 90<sup>th</sup> percentile value divided by 4.</p> <p><b>Fuel Model G:</b></p> <ul style="list-style-type: none"> <li>• <b>BI:</b> Range 0 – 20</li> <li>• <b>ERC:</b> Range 0 – 18</li> <li>• <b>1000 hr fuels:</b> Greater than 20%</li> <li>• <b>LFM:</b> Greater than 250%</li> </ul> <p><b>For Fuel Model L:</b></p> <ul style="list-style-type: none"> <li>• <b>BI:</b> Range 0 – 9</li> <li>• <b>ERC:</b> Range 0 – 10</li> </ul> <p><b>KBDI:</b> 1 – 98</p> <p><b>Yearly Precipitation:</b> Normal or Above</p>	<ul style="list-style-type: none"> <li>• Normal tours of duty;</li> <li>• Fire danger rating signs activated at start of the fire season;</li> <li>• Carry PPE while on duty;</li> <li>• Notify Pueblo Dispatch Center (PBC) of staffing class at intervals requested by PBC;</li> <li>• Minimum ICT5 + FFT2 respond to reported fire;</li> <li>• In early season, complete pre- season risk analysis;</li> </ul>

	<b>Drought Monitor:</b> None	
<p><b>Staffing Class II</b></p> <p>Adjective Class:</p> <p>Moderate or Normal</p> <p>Determination Guide:</p> <p>Four of the five criteria within description column fall within identified ranges for this severity level.</p>	<p><b>Numbers below for BI, ERC, and KBDI represent 90<sup>th</sup> percentile value divided by 2.</b></p> <p><b>For Fuel Model G:</b></p> <ul style="list-style-type: none"> <li>● <b>BI:</b> Range 21 – 40</li> <li>● <b>ERC:</b> Range 19 – 36</li> <li>● <b>1000 hr fuels:</b> 16 – 20%</li> <li>● <b>LFM:</b> 225 - 250%</li> </ul> <p><b>For Fuel Model L:</b></p> <ul style="list-style-type: none"> <li>● <b>BI:</b> Range 10 – 17</li> <li>● <b>ERC:</b> Range 11 – 19</li> </ul> <p><b>KBDI:</b> 99 – 196</p> <p><b>Yearly Precipitation:</b> 1 – 10% Below Normal</p> <p><b>Drought Monitor:</b> D0 – D1 (Abnormally Dry to Moderate Drought)</p>	<p><b>All Level I Activities plus:</b></p> <ul style="list-style-type: none"> <li>● All initial attack equipment ready in cache at all times;</li> <li>● Engines, Pumps and Saws checked weekly</li> </ul>
<p><b>Staffing Class III</b></p> <p>Adjective Class:</p> <p>High</p> <p>Determination Guide:</p> <p>Four of the five criteria within description column fall within identified ranges for this severity level.</p>	<p><b>For Fuel Model G:</b></p> <ul style="list-style-type: none"> <li>● <b>BI:</b> Range 41– 80</li> <li>● <b>ERC:</b> Range 37 – 71</li> <li>● <b>1000 hr fuels:</b> 13 – 16%</li> <li>● <b>LFM:</b> 150 - 224%</li> </ul> <p><b>For Fuel Model L:</b></p> <ul style="list-style-type: none"> <li>● <b>BI:</b> Range 18 – 34</li> <li>● <b>ERC:</b> Range 20 – 39</li> </ul> <p><b>KBDI:</b> 197 – 390</p> <p><b>Yearly Precipitation:</b> 11 – 25% Below Normal</p> <p><b>Drought Monitor:</b> D1 – D2 (Moderate to Severe Drought)</p>	<p><b>All Level II Activities plus:</b></p> <ul style="list-style-type: none"> <li>● Minimum ICT5/ENGB + FFT2 with engine respond to reported;</li> <li>● Engines, Pumps, and Saws checked daily</li> <li>● Detection patrol following lightning activities and around high public use areas;</li> <li>● Post fire danger signs at entrances and high public use areas;</li> <li>● Stage 1 or Stage 2 Fire Restrictions may be</li> </ul>

		<p>implemented;</p> <ul style="list-style-type: none"> <li>• Begin coordination of potential closures with adjacent agencies;</li> <li>• Monitor availability of local fire suppression resources;</li> <li>• Begin preparing request for Short Term Severity and / or Severity Funding;</li> </ul>
<p><b>Staffing Class IV</b></p> <p>Adjective Class:</p> <p>Very High</p> <p>Determination Guide:</p> <p>Four of the five criteria within description column fall within identified ranges for this severity level.</p>	<p><b>Numbers for BI, ERC, and KBDI below represent 90<sup>th</sup> thru 96<sup>th</sup> percentile.</b></p> <p><b>For Fuel Model G:</b></p> <ul style="list-style-type: none"> <li>• <b>BI:</b> Range 81 – 98</li> <li>• <b>ERC:</b> Range 72 – 90</li> <li>• <b>1000 hr fuels:</b> 8 – 12%</li> <li>• <b>LFM:</b> 85 - 149%</li> </ul> <p><b>For Fuel Model L:</b></p> <ul style="list-style-type: none"> <li>• <b>BI:</b> Range 35 – 42</li> <li>• <b>ERC:</b> Range 40 – 50</li> </ul> <p><b>Yearly Precipitation:</b> 26 – 45% Below Normal</p> <p><b>KBDI:</b> 391 – 460</p>	<p><b>All Level III Activities plus:</b></p> <ul style="list-style-type: none"> <li>• Minimum ICT5 + ENGB (or trainee) + FFT2 with engine respond to reported fire;</li> <li>• No fire equipment will be utilized for project work;</li> <li>• ICT4 available to respond;</li> <li>• 7-day effective coverage, including extended hours as determined by Fire Duty Officer (FDO);</li> <li>• Request activation of Short – term Severity and / or Severity Funding;</li> <li>• Detection Patrol Conditional;</li> <li>• Ensure that dispatch coverage maintains the capability to handle fire prevention, detection, and incident management activities;</li> <li>• Consider Information Officer working in</li> </ul>

		<p>conjunction with PFB distribute press releases regarding fire danger;</p> <ul style="list-style-type: none"> <li>• Coordinate Stage 1 or Stage 2 fire restrictions with adjacent agencies;</li> <li>• Coordinate potential closures with adjacent agencies;</li> <li>• FDO will monitor availability of PIDC Type III team and aviation resources.</li> </ul>
<p><b>Staffing Class V</b></p> <p>Adjective Class:</p> <p>Extreme</p> <p>Determination Guide:</p> <p>Four of the five criteria within description column fall within identified ranges for this severity level.</p>	<p><b>Numbers for BI, ERC, and KBDI below represent 97<sup>th</sup> and above percentile.</b></p> <p><b>For Fuel Model G:</b></p> <ul style="list-style-type: none"> <li>• <b>BI:</b> Greater than 98</li> <li>• <b>ERC:</b> Greater than 90</li> <li>• <b>1000 hr fuels:</b> Below 8%</li> <li>• <b>LFM:</b> Below 85%</li> </ul> <p><b>For Fuel Model L:</b></p> <ul style="list-style-type: none"> <li>• <b>BI:</b> Greater than 42</li> <li>• <b>ERC:</b> Greater than 50</li> </ul> <p><b>Yearly Precipitation:</b> Greater than 45% Below Normal</p> <p><b>KBDI:</b> Greater than 460</p> <p><b>Drought Monitor:</b> D4 (Exceptional Drought</p>	<p><b>All Level IV Activities plus:</b></p> <ul style="list-style-type: none"> <li>• Minimum ICT3 + 2 engines each staffed with minimum ENGB and 2 FFT2s to respond to wildfire</li> <li>• Consider closure of public lands</li> <li>• Consider aerial detection flights</li> </ul>

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1 Other Considerations to above table:

- 2 ● When STAFFING LEVEL 3 or 4 is accompanied by a Lightning Activity  
3 Level of 4, 5, or 6 for the current day or within the previous 5 days, the  
4 STAFFING LEVEL may be adjusted to the next higher level respectively.
- 5 ● Drought Monitor Index of D2 (Severe Drought) or higher (D3, D4, etc.)  
6 may be used to justify adjustment of STAFFING LEVEL 3 to 4, and 4 to 5  
7 respectively.
- 8 ● Periods of elevated probability of human-caused fire occurrence, such as  
9 holiday weekends with increased visitation, may also be used to adjust the  
10 STAFFING LEVEL to the next highest level.
- 11 ● STAFFING LEVELS 3 and 4 may be adjusted to 4 and 5 respectively if the  
12 Rocky Mountain Area preparedness level is Level 4 or Level 5.
- 13 ● The FDO will monitor the availability of other staff. Once initial attack  
14 resources are committed to an incident, the FDO will determine the need(s)  
15 for ensuring that adequate staffing is maintained for any additional response  
16 that may simultaneously occur.

### 17 18 **Remote Automated Weather Stations (RAWS)**

19 The NWCG Fire Weather Subcommittee provides national leadership in  
20 wildland fire weather and climatology in support of effective fire management  
21 decision-making. As part of their role, the Fire Weather Subcommittee  
22 developed and maintains the [Interagency Wildland Fire Weather Station  
23 Standards and Guidelines](#) (NWCG PMS 426-3). The Service has adopted and  
24 follows the standards in this publication.

### 25 **RAWS Maintenance**

26  
27 Maintenance and repair of RAWS stations is critical to fire behavior indices as  
28 well as for use by other agencies. RAWS owned by the Service will meet  
29 maintenance and repair standards identified in the current version of the  
30 [Interagency Wildland Fire Weather Station Standards and Guidelines](#). RAWS  
31 maintenance and repair is the responsibility of the Zone Fire Management  
32 Officer and station owner.

33  
34 Individuals responsible for the maintenance of RAWS are required to have an  
35 individual access to the Wildland Fire Management Information (WFMI)  
36 Weather Module. WFMI Weather allows users in the field the ability to order  
37 sensors, update station narratives, notes, and routes. Information on obtaining a  
38 WFMI Weather account can be found at [WFMI Homepage](#).

39  
40 The WFMI Weather module provides access to the weather data that is  
41 transmitted from the more than 2500 RAWS located throughout the U.S.

1 Locations of RAWS can be searched online at [Western Regional Climate Center](#)  
2 (WRCC). Additionally, the WRCC website allows users to graph sensor outputs  
3 making it easier to locate potential problems.

4

5 **Annual Maintenance** – The Zone FMO and station owner are responsible for  
6 ensuring:

- 7 1. Annual maintenance is completed per standards in NWCG PMS 426-3;  
8 and
- 9 2. Maintenance and all other significant station activity is documented in  
10 the WFMI Weather Module.

11

12 RAWS that are over one month past due for annual maintenance can be set to  
13 not send information to the Weather Information Management System (WIMS)  
14 to prevent these stations from being used to inform critical fire management  
15 decisions. The decision to turn off a station is the responsibility of the Regional  
16 RAWS Coordinator in coordination with the Service National RAWS  
17 Coordinator and Regional Fire Management Coordinator. Once annual  
18 maintenance has been completed, the station can be re-set to send information to  
19 WIMS.

20

21 **Unscheduled Maintenance/Emergency RAWS Repairs** - Repairs to RAWS  
22 are to be completed per standards identified in NWCG PMS 426-3. During the  
23 unit's fire season, the ZFMO has 3 days to initiate repairs (such as contacting  
24 RAWS depot and ordering parts, etc.). If repairs are not completed within 7  
25 days, NFDRS indices will become inaccurate and corrections to station data may  
26 need to be completed in WIMS. Regardless if WIMS data corrected or not, the  
27 station will need to be recalculated in WIMS to correct NFDRS indices. All  
28 activities will be documented in the WFMI Weather Module. More information  
29 on RAWS is located on the RAWS website.

30

31 **Weather Information Management System (WIMS)** - Maintaining the  
32 RAWS information in WIMS is the responsibility of the Zone FMO. State of  
33 Weather and observed weather observations will be completed daily. Dates for  
34 vegetative stages (such as green-up, frozen, etc.) will also be completed annually  
35 by the Zone FMO following guidance identified in the WIMS user guide.

36

**1 Fire Severity Funding**

2 Fire Severity Funds are suppression operations funds intended to support  
3 extraordinary preparedness activities and its use is consistent with approved  
4 preparedness plans. Fire severity funding is not intended to raise preparedness  
5 funding levels to cover differences that may exist between funds actually  
6 appropriated and those identified in the fire planning process.

7 Units may request fire severity funding when wildfire response resources are  
8 insufficient to meet the predicted fire workload on Service lands. Units/Regions  
9 may request 2 types of severity funding depending upon the anticipated duration  
10 of need (see table).

**11 Short-term Fire Severity Funding**

12 Short-term Fire Severity Funding can be requested to implement preplanned  
13 actions from an approved preparedness or step-up plan when the unit anticipates  
14 being at Preparedness Level 4 or 5 (or equivalent) for less than seven  
15 consecutive days, or when the need is only for extending the days/hours of  
16 existing staff. In rare instances, local interagency resources may be utilized to  
17 cover Service short-term severity events. If local interagency resources are  
18 required to support Service severity activities for a period longer than 4 days, the  
19 long-term severity process must be utilized. RFMCs are authorized to approve  
20 the expenditure of short-term fire severity funds up to the annual \$300,000  
21 Regional cap. Units must request, through their RFMC, authority to expend  
22 Short-Term Severity funds detailing the conditions necessitating the increase in  
23 preparedness activities. Short-term Fire Severity Funding approvals are valid for  
24 the short-term event detailed in the request and do not constitute a blanket  
25 annual approval to expend short-term severity funds. Upon conclusion of short-  
26 term preparedness actions, FMOs are required to submit a report to the RFMC  
27 detailing the funds expended and activities conducted during emergency  
28 preparedness.

**29 Long-term Fire Severity Funding**

30 Long-term Fire Severity Funding can be requested when additional outside  
31 resources are needed for an extended period of time. The need for additional  
32 resources must be based upon existing approved preparedness plans or  
33 documentation of extraordinary conditions that were not anticipated in the  
34 existing preparedness plans. Long-term Fire Severity Funding requests must be  
35 approved by the Chief, Branch of Fire Management and must follow the FWS  
36 Severity Request Format. Severity funding templates, job aids and checklists  
37 have been created for field units and Regional Offices and are located on the  
38 Severity page of the Service's [Fire Management SharePoint](#) site.

1 **Severity Cost Accounting**

- 2 Fire severity work breakdown structures are initiated by the National Office  
 3 in the Fire Management Information System. Refer to the Fire Business  
 4 Guide and FWS [Fire Management SharePoint](#) site for additional  
 5 information.  
 6 Refer to the Fire Business Guide, the Redbook, and the Service SharePoint site  
 7 for additional severity guidance and templates for use:

<b>Fire Severity Funding Levels</b>	<b>Fire Severity Authorization</b>	<b>Additional Resources (as specified in preparedness plans)</b>
Regional Level Short-Term Events (severity conditions and expected PL4 or 5 for less than one week)	Work Breakdown Structures are provided by the National Office to each Region on an annual basis	Approved by Regional Office Complete short term severity expense reports
National Level Long-Term Events (severity conditions and predicted PL4 or 5 for more than one week)	Maximum of 30 days per request; however, regardless of the length of the authorization, use of severity funding must be terminated when abnormal conditions no longer exist. Work Breakdown Structures are provided by the National Office for each approved request.	Approved by National Office Complete long term severity expense reports

8  
 9 **Reporting Requirements**

- 10 Units will email a final report to the RFMC and the BFM within 30 days of  
 11 ending long-term severity. The final severity report must include the following:
- 12 ● Total amount authorized
  - 13 ● Total amount expended
  - 14 ● Short narrative of fire activity

15

1 The requesting unit must keep all fiscal documents pertaining to the severity  
2 expenditures separate from other fiscal documents for audit purposes. This  
3 includes timesheets, both for permanent and any AD hires, travel vouchers,  
4 purchase documents, etc. Given potential changes in conditions, identify  
5 anticipated duration for continued use of the authorization.

#### 6 **Normal Unit Strength (NUS)**

7 Refuges that have a Fire Management Plan and provide suppression  
8 responsibilities should also have a cache of firefighting tools and personal  
9 protective equipment (PPE) adequate to support all refuge initial attack staff.  
10 The numbers, types, and distribution of materials in caches will be dictated by  
11 the staffing, suppression strategy, fuels and fire history of the refuge. Cache  
12 equipment, other than capitalized property, is considered to be the station's NUS.  
13 It is the responsibility of the refuge, in coordination with local and regional fire  
14 management staff to establish specific refuge and complex initial attack NUS  
15 levels. Requirements beyond the initial attack level will be supported through  
16 the regional and national fire cache system. Maintenance of NUS is the  
17 responsibility of the refuge. NUS is a maximum level of all items for initial  
18 attack fire suppression efforts, not for support of fires exceeding initial attack or  
19 prescribed fire activities. NUS will include personal protective equipment and  
20 safety items required by personnel for prescribed fire assignments. Personnel  
21 ordered for extended attack activities are not to be equipped from the refuge's  
22 NUS, but will either come equipped or equipped by a ground support facility.  
23 All refuges will develop a NUS list and have it approved by the RFMC. The list  
24 will become an attachment to the refuge's Fire Management Plan. Only those  
25 approved items may be replaced. The initial stocking of the cache with NUS  
26 items is a one-time expenditure of preparedness funds. If additional items are  
27 needed, they must be approved through the RFMC. All NUS items are to be  
28 maintained in such a way that they are not used for routine refuge operations.  
29 This may be accomplished by storing equipment in designated areas protected  
30 by a seal or in an individual locked enclosure. The inventory and location of  
31 these items should be included in the pre-attack plan. Excess and unneeded  
32 supplies and equipment should be transferred to other refuges or interagency  
33 caches.

34 Once a NUS level of equipment and PPE is established, routine replacement of  
35 lost, broken or worn out equipment should be through the normal Defense  
36 Logistics Agency fire program. Items can be ordered by using the National  
37 Stock Number found in the NWCG National Fire Equipment System Catalog,  
38 Part 1: Fire Supplies and Equipment, or through the Defense Logistics Agency  
39 (DLA) Wildland Fire supply program Website. DLA should be considered the  
40 first source of supply, but other sources can also be used.

41 Supporting Ongoing Fires - Ordering - During wildland and prescribed fire  
42 operations, support in the form of NUS supplies, other fire suppression

- 1 equipment, crews and overhead can be ordered through the local interagency
- 2 zone dispatch/coordination center.

Item	NUS Formula
Rations, Shelters, Hard Hats, Head Lamps, Goggles, Packs, Line Gear, First Aid Kits, Sleeping Bags, Water Bottles	1 per red-carded individual plus 20%
Tents	1 per red-carded individual
Aramid Pants, Aramid Shirts, Gloves	2 per red-carded individual plus 20% for each size issued
Shovels, Pulaskis, McLeods, Flaps, Fire Rakes (Hand Tools)	2 per red-carded individual plus 10% for each type of tool. Mix of tools is determined by station based on local needs.
Flight Helmets	6 per helicopter contract plus 2 spares. Stations w/o contract aircraft that frequently use helicopters for fire activities should obtain 4.
Back Pack Pumps	1 per 2 red-carded individuals
Chain Saws, Portable Pumps, Fold-A-Tank	As approved by the RFMC depending on firefighting tactics.
Foam	15 gallons per engine
Hose - Portable Pump used for hose lays or any size engine	1.5 inch -900 feet 1 inch - 900 feet
Nozzles ( 1" and 1.5" - total)	2 - Portable Pump 4 - Light Engine 5 - Medium or Heavy Engine Plus 20% for total number of nozzles on engines, water and foam combined
Wyes, Tees, Wrenches, Relief Valves, Hose Clamps, etc.	2- Portable Pump 2 - Light Engine 3- Medium Engine 4 - Heavy Engine Plus 10% for each item listed as required in the inventory
Adapters and Reducers (Based on local and anticipated needs)	2 - Portable Pump 2 - Light Engine 4 - Medium Engine 5 - Heavy Engine Plus 10% for each item listed as required in the inventory.

3

#### 4 Information Systems

- 5 There are a number of computer applications, which provide analysis and
- 6 decision support for fire manager/resource manager. Numerous other computer

1 applications exist which have merit and can be used by refuges, but are not  
2 supported by the national office. Supported applications include:

3 • **Weather Information Management System (WIMS)**

4 A comprehensive system that helps you manage weather information.  
5 WIMS is the host for the NFDRS. WIMS accesses the National Interagency  
6 Fire Management Integrated Database (NIFMID). NIFMID is a relational  
7 database that contains historic fire weather and historic fire record  
8 information. Requirements for WIMS data are identified in Chapter 14.  
9 WIMS allows you to retrieve weather information by providing timely  
10 access to many weather information sources, efficient tools for managing  
11 data, data manipulation and display functions, and interactive  
12 communications environment. System access is through National  
13 Applications Portal (NAP) at (<https://nap.nwcg.gov/NAP/#>) and requires a  
14 user identification and password. A WIMS user guide is located at  
15 [http://fam.nwcg.gov/fam-web/pocketcards/wims\\_ug\\_final/wims\\_ug.html](http://fam.nwcg.gov/fam-web/pocketcards/wims_ug_final/wims_ug.html)  
16 Questions concerning WIMS access should be directed to the WIMS help  
17 desk at NIFC (866) 244-7677.

18 • **The Fire Effects Information System (FEIS)**

19 FEIS is a computerized encyclopedia of scientific information describing  
20 the fire ecology of more than 1,000 plants and animal species and plant  
21 communities. Access to FEIS is available through the Internet at  
22 <http://www.feis-crs.org/beta/>.

23 • **Wildland Fire Assessment System (WFAS-MAPS)**

24 The broad area component of the Wildland Fire Assessment System  
25 (WFAS-MAPS) is generating National Maps of selected fire weather and  
26 fire danger components of the NFDRS. NFDRS computations are based on  
27 once-daily, mid-afternoon observations (2 p.m. Local Standard Time) from  
28 the Fire Weather Network that is comprised of some 1,500 weather stations  
29 throughout the Conterminous United States and Alaska.

30 Observations are reported to the Weather Information Management System  
31 (WIMS) where they are processed by NFDRS algorithms. Many of the  
32 stations are seasonal and do not report during the off season. WFAS queries  
33 WIMS each afternoon and generates maps from the day's weather  
34 observations. Each afternoon Fire Weather Forecasters from the National  
35 Weather Service also view these local observations and issue trend  
36 forecasts for fire weather forecast zones. WIMS processes these forecasts  
37 into next-day index forecasts. Additional information is located on the  
38 Internet at <http://www.wfas.net/>.

39 • **Lightning Detection System (LDS)**

1 Near real time lightning data can be acquired and exported without a  
2 username or password at <https://wfmi.nifc.gov/cgi/WfmiHome.cgi> by  
3 clicking on Lightning Viewer Webpage.

4 Another source of lightning data is the National Interagency Fire Enterprise  
5 Geospatial Portal (EGP) at <https://egp.nwcg.gov/egp/default.aspx>. A  
6 username and password are required to log into the Situation Analysis (SA)  
7 page. Once logged in, user can select and view near real time lightning  
8 data.

### 9 **Wildfire Prevention/Mitigation**

10 Information on risk assessments and planning can be found at the [NWCG](#)  
11 [Communication, Education, and Prevention Committee](#) website.

#### 12 • **Prevention Goals**

- 13 ○ Reduce the likelihood of both human-caused and unwanted  
14 naturally-ignited wildfire spread that could result in  
15 unacceptable loss.
- 16 ○ Decrease the frequency of human-caused fires.
- 17 ○ Reduce emergency suppression costs.
- 18 ○ Reduce fire size and intensity by developing programs such as  
19 fuels reduction/modification.
- 20 ○ Establish cost-effective prevention programs at the national,  
21 regional, and refuge levels.
- 22 ○ Integrate and coordinate prevention programs with State  
23 foresters, nearby land management agencies, and wildfire  
24 protection organizations.
- 25 ○ Promote the creation of incentives for building and  
26 maintaining fire-safe structures and fire-safe communities to  
27 reduce the unwanted consequences of fire.
- 28 ○ Minimize damage from unwanted wildfire occurrence.
- 29 ○ Incorporate prevention programs into our fire management  
30 outreach programs.

#### 32 • **Prevention Priorities**

- 33 ○ Our highest priority in the prevention program is to prevent  
34 catastrophic fires and human- caused wildfires. All levels from  
35 the field through the Washington Office Directorate will  
36 exhibit action committing to an effective prevention program
- 37 ○ Our prevention program is designed to minimize losses from  
38 wildfire while considering resource management objectives.
- 39 ○ Our prevention program encourages a cooperative interagency  
40 approach among all Federal, State, county, and municipal  
41 agencies/entities and is consistent with our objectives and  
42 National Outreach Strategy guidance.

- 1                   ○ The Project Leader is responsible for ensuring the  
2 investigation of every wildfire to determine cause. Where  
3 evidence indicates the fire was caused by arson or negligence  
4 (trespass), the Project Leader must protect evidence and  
5 initiate a fire investigation. This investigation may range from  
6 getting the responding fire crew to document the cause to  
7 requesting a qualified arson investigator to perform a criminal  
8 investigation.
- 9                   ○ The Project Leader must notify the Regional Fire Management  
10 Coordinator of suspected arson.
- 11
- 12   ● **Prevention Analysis**
- 13                   ○ Each field office is responsible for performing a prevention  
14 analysis. Your completed prevention analysis determines the  
15 scope, contents and need of the fire prevention plan. Complete  
16 your prevention analysis for the same planning period used in  
17 developing the Fire Management Plan. If this is not possible  
18 the data base should be for the most recent 5 years. The  
19 analysis serves as a justification for increasing, decreasing,  
20 and modifying existing prevention activities.
- 21
- 22   ● **Prevention Plan**
- 23                   ○ Your prevention analysis helps you determine if a prevention  
24 plan is required. The problems you identify in the prevention  
25 analysis are addressed and treatments are identified in the  
26 prevention plan.
- 27                   ▪ **Plan Submission.** If you identify a prevention  
28 problem when you complete your prevention  
29 analysis, you must complete a prevention plan unless  
30 your Regional Director issues an exemption.
- 31
- 32   ● **Plan Amendment**
- 33                   ○ You must periodically review your prevention analysis to  
34 determine changes in human- caused fire incidence, cause,  
35 class of people, location, changes in fuel loading or public use  
36 patterns. A significant change or problem may require  
37 redirecting the current program giving more emphasis to this  
38 area.
- 39                   ○ A prevention plan amendment is necessary when your review  
40 justifies a change in the prevention program. The amendment  
41 is submitted in the same way as the prevention plan.
- 42
- 43   ● **Prevention Plan Implementation.**

- 1 ○ **Visitor Use Regulation.** Practice prevention enforcement at  
2 the level necessary to gain compliance with fire laws and  
3 regulations.
- 4 ○ **Public Use Restrictions.** Project Leaders have the authority to  
5 impose public use and access restrictions in times of high fire  
6 danger. These public use restrictions include:
- 7     ▪ Restricted fire use in back-country; e.g., no cooking  
8     or warming fires outside developed sites, etc.
- 9     ▪ Restricting public use activities; e.g., off-road  
10     vehicles, back-country access, etc.
- 11     ▪ Restricting refuge operations or contract activities;  
12     e.g., construction, blasting, chain saw use, etc.
- 13     ▪ Total or partial closure of the refuge.
- 14 ○ **Coordination of Closures.** You should coordinate all closures  
15 with the State and adjacent Federal land management  
16 agencies. Joint agency closures can be very effective and they  
17 are easier to manage and better understood by the public when  
18 lands of similar hazard, regardless of ownership, are treated  
19 the same. Notify and coordinate a closure or restriction with  
20 all Federal, State, and local organizations responsible for  
21 wildfire control whenever possible.
- 22
- 23 ● **Interagency Cooperation**
- 24 ○ Interagency cooperation is critical at all levels. Coordinating  
25 and sharing resources among agencies can make prevention  
26 programs much more effective. Carefully coordinate programs  
27 so they are complementary and reinforce each other.  
28 Cooperative prevention programs should include interagency  
29 committees, developing interagency public outreach programs,  
30 and development and coordinated release of news stories to  
31 the media. Cooperative interagency efforts in prevention  
32 activities with other local fire authorities provide an excellent  
33 avenue for establishing cordial relationships which pay  
34 dividends at the time of an emergency.
- 35
- 36 ● **Prevention Training**
- 37 ○ All personnel are responsible for wildfire prevention.  
38 Appropriate employees should complete Fire Prevention  
39 Education 1 (PMS P101) to ensure a basic understanding of  
40 wildfire prevention. This basic course is available for purchase  
41 through the Publication Management System.
- 42 ○ Our field offices should work with their local cooperators to  
43 develop effective prevention training programs for the mutual  
44 benefit of both.

## 1 **Wildfire Cause Determination and Fire Trespass**

2 To start things in motion, make a thorough investigation of the facts surrounding  
3 the fire and provide documentation in a trespass report. The report is completed  
4 by the Service employee who discovered the wildfire trespass or is assigned to  
5 the investigation. The trespass report is submitted to the Project Leader.

6 Management shall at this point request assistance from Law Enforcement  
7 Officer (LEO) if there is any question on civil versus criminal penalties. The  
8 Project Leader should ensure investigation of each fire to determine whether  
9 natural or human causes started the fire. Where evidence indicates the fire was  
10 human caused, protect the evidence and initiate an investigation using qualified  
11 fire investigators. Initiate trespass actions to recover suppression costs and  
12 resource losses. Notify the Regional Fire Management Coordinator.

13 If the recommendation is to pursue as a trespass action because responsibility  
14 can be determined, a case number is assigned from the Refuge Case Log and the  
15 investigative file begins. If information at this point indicates the case to be  
16 criminal in nature, the LEO takes over further investigation. If information  
17 indicates the case will be a civil action, a Refuge employee with knowledge of  
18 investigative procedures may pursue the investigative process.

19 Upon fire trespass legal ruling and settlement determination (collection amount),  
20 the Service is responsible for the billing, collection and dispersal of collected  
21 funds. The collecting office will prepare a Bill for Collection DI-1040 indicating  
22 the **incident cost center FF.F46000 original fire incident project code** and  
23 forward the Bill for Collection to the cost accounting section (per Regional  
24 direction) along with supporting documentation. The cost accounting section  
25 will enter the Bill for Collection into FBMS, as well as prepare and send a  
26 “formal” bill to the plaintiff.

27 **NOTE: It is CRITICAL that fire trespass collections and resultant**  
28 **spending transactions cite the original fire incident project code or the**  
29 **funds will lose their identity. A copy of the Bill for Collection must be**  
30 **forwarded to the Service Branch of Fire Management, Budget and**  
31 **Planning for National oversight.**

32 Funds (check or money order) are to be deposited via Collection Transmittal 1  
33 (fire trespass). Once fire trespass funds are deposited, they will be held by the  
34 collecting Region until the NFLT meets to discuss/negotiate current needs;  
35 funds will then be allocated based on NFLT decisions throughout the year.  
36 These funds may only be used for non-recurring contracts, interagency  
37 activities, temporary labor, and one-time purchases not requiring continued  
38 monetary commitment. These funds are not base funds; they are considered one-  
39 time funds and cannot be used to augment the preparedness budget. Funds may  
40 be used for fire activities in the wildfire prevention planning process, examples  
41 include: fire awareness, educational activities, law enforcement activities, and  
42 prevention and trespass training. Funds can also be used for restoration that is

1 needed as a result of fire where, due to limitations on the use of rehabilitation  
2 funds, restoration of developments damaged by a fire could not be  
3 accomplished.

4 Please refer to the *Fire Business Guide* for additional administrative instructions  
5 and guidance.

6 Depending upon a number of actions and reactions, there are situations where  
7 managers must seek advice from appropriate Service specialists and Field or  
8 Regional Solicitors (Solicitor) through established channels. The question of  
9 civil versus criminal recourse requires outside input from technical experts. The  
10 nuances of investigation under civil versus criminal cases differ, and require  
11 expert advice.

12 This Chapter should not be relied upon as the final authority in pursuing wildfire  
13 trespass cost recovery. The references cited in the Departmental Manual, Part  
14 620, 50 CFR, Part 28.32, and the Service Manual should be reviewed by those  
15 involved in wildfire trespass. Managers need to know or be advised on what  
16 their roles, limitations, and capabilities are in trespass cases (Service Manual  
17 621 FW 1.5 and 1.14).

18 The agency must pursue cost recovery, or document why cost recovery is not  
19 required for all human- caused fires on public lands. If the ability to pay does  
20 not exist, a court decision could be handed down that might provide for payment  
21 in kind.

22 The manager does have the latitude to recommend alternative methods for  
23 recovery of damages to natural resources or improvements. This  
24 recommendation would be forwarded to the Solicitor through appropriate  
25 channels for a decision. If full payment is not made to the Service while in the  
26 administrative phase of trespass, then it falls to the legal system and its  
27 representatives to recover costs in whatever form is most appropriate.

28 It should also be remembered that an aggressive trespass program is also an  
29 excellent prevention program. An appropriate level of media attention should be  
30 given to successes of the trespass program in an effort to emphasize the positive  
31 preventative actions that can be gained.

## 32 **Fire Investigation**

### 33 **Introduction**

34 All fires must be thoroughly investigated to determine the cause and if  
35 negligence and/or criminal intent were factors. Whether the fire was started from  
36 a careless act or was willfully set must be determined in order to develop a  
37 successful fire investigation. Fire investigation must be concurrent with fire  
38 suppression. Fire Investigation Methodology and Techniques can be found in  
39 the [Guide to Wildland Fire Origin and Cause Determination](#) (NWCG PMS 412,  
40 NFES 1874).

1

## 2 **Wildland Fire Investigation Case Reports**

3 At this point, an Initial Report of Unauthorized Use (Exhibit 10-3), Wildland  
4 Fire Investigation Illustration and Sample Case Report has been completed and  
5 submitted to the Project Leader. After a decision to proceed with further  
6 investigation has been reached, the next decision point is whether to pursue a  
7 civil or criminal action. Law Enforcement personnel will be consulted to  
8 determine which course of action to pursue. The Initial Report of Unauthorized  
9 Use will become part of the investigative report.

10 A trespass case number will be assigned from the Document Control Register or  
11 Law Enforcement Management Information System (LEMIS) which is a  
12 reporting system used by Service law enforcement to document all case work.  
13 The investigation will then proceed. At this point, the trespass is still in the  
14 administrative process. The Service could issue a billing and make full recovery  
15 of costs. We have not gone to the judicial system yet.

16

## 17 **Civil Case Report**

18 ● **Format.** The case report should be divided into five parts: Title Page,  
19 Synopsis, Persons Named in the Report, Fire Investigation, and Appendix.

### 20 ○ **Title Page.**

- 21 ▪ Fire name and number
- 22 ▪ Refuge
- 23 ▪ Fire date
- 24 ▪ Report prepared by
- 25 ▪ Position title
- 26 ▪ Period of investigation
- 27 ▪ Date of report

28 ● **Synopsis.** The Synopsis should be as brief as the writer deems necessary to  
29 explain the case and to tie evidence into a narrative description. Discuss  
30 specific elements of the violation (e.g., willfully and without Authority, sets  
31 fire on National Wildlife Refuge). The writer should present facts that show  
32 negligence and discuss any problems of conflicting evidence. It is not a  
33 substitute for the investigation portion of the report. It should be factual,  
34 rather than conclusive. It should be based upon the evidence developed  
35 during the investigation.

36 ● **Persons named in the report.** Attach a list of all persons mentioned in the  
37 report by full name, address, phone number, and occupation.

38 ● **Investigation.** This is the body of the report. It should consist of a  
39 chronological description of what the Fire Investigator did in the  
40 investigation, whom he/she spoke with and when, what was said, and what

1 was observed. It is an account of all matters developed in the investigation.  
2 Even seemingly minor notations or observations can prove extremely  
3 important at a later date. Include the names of property owners who are  
4 involved in the case and any other individuals who might be connected with  
5 the case, either as defendants or in any other direct manner.

6 ● **Appendix.** Attach maps, sketches, and photographs to aid in  
7 comprehending locations, conditions, and circumstances described in the  
8 report. Attach any statements taken from witnesses and a list of who was  
9 interviewed without written statements, and to what they can attest. Include  
10 all relevant forms to the case such as burning permits, Notice of Violation,  
11 record of fire conditions, operating permits (i.e. Special Use Permit),  
12 weather records, dispatch logs, and radio logs.

13 ● **Processing.** Once evidence has been processed and suppression costs  
14 determined, the case report should be finalized. The case report should be  
15 submitted for review to the FMO and Project Leader.

16 If a responsible party has been identified, a billing will be prepared and cost  
17 collection procedures initiated. A copy of the fire investigative report should be  
18 included in the fire package.

19

## 20 **Criminal Case Report**

### 21 **Investigative Reports – Criminal**

- 22 ● The incident report is given a number and opens the case. It includes:
- 23 ○ Subject - address and physical description.
  - 24 ○ Reporting person - either a confidential informant (CI) or informant.  
25 Include address and phone number for informant, but not for the CI.
  - 26 ○ Details clearly stating the violation and the "who, what, where, when,  
27 why, and how" in a brief paragraph or two.
  - 28 ○ Action and recommendation - describe what actions are to be initiated  
29 and recommendations to consider.
- 30 ● The investigative report consists of:
- 31 ○ Cover page with primary information as to suspect, witnesses,  
32 violation, and a short synopsis.
  - 33 ○ Investigative results report which includes all actions taken by the Fire  
34 Investigator concerning evidence collected, persons interviewed,  
35 sketches, photographs, chain of custody receipts, and disposition form  
36 used when the case has been adjudicated.
  - 37 ○ Format example of the chronological order of a criminal report;

- 1 • Criminal complaint
- 2 • Investigative report
- 3 • Investigative results
- 4 • Statement(s) of witness(es)
- 5 • Statement(s) of suspect(s)
- 6 • Photographs
- 7 • Sketches
- 8 • Evidence exhibits

## 9

### 10 **Cost Determination**

#### 11 **Introduction**

12 All costs associated with a fire are to be determined by a qualified specialist who  
13 can assess damages and complete a damage appraisal report to accompany the  
14 fire trespass case.

15 Based on the appraisal, all costs to be reimbursed by the responsible party are  
16 determined and prepared by the associated refuge office. Calculation should  
17 encompass all costs, including those associated with the Service, States, other  
18 Federal agencies, rural fire districts, etc., and include resource damage  
19 rehabilitation costs, costs of repair or replacement of physical improvements, as  
20 well as all associated administrative costs.

21 Every attempt should be made to include all costs on the initial *Bill for*  
22 *Collection*. However, costs incurred after the initial bill has been sent should be  
23 documented with a subsequent *Bill for Collection* being sent or added during  
24 negotiation or with any settlement as a result of a court trial. The Service's  
25 Finance Center will follow up on any bills issued and not paid or not paid in full.

#### 26

#### 27 **Resource Damages**

28 Each burned area will be examined and the damages evaluated. The appropriate  
29 Resource Specialist should make the appraisal. Generally, damages will be the  
30 cost of emergency stabilization, burned area rehabilitation, and the value of  
31 resources burned minus any salvage value.

#### 32

#### 33 **Emergency Stabilization Costs**

34 These are charged to emergency stabilization funds and must be tied to a  
35 specific fire number (i.e., 10 digit cost center-FF.F2200000-fire number  
36 followed by a 0). Emergency stabilization is planned actions taken during and  
37 after a wildfire to stabilize and prevent unacceptable resource degradation or to  
38 minimize threats to life or property resulting from the fire. It includes such costs  
39 as reseeding to prevent immediate wind or water erosion and to prevent  
40 establishment of undesirable vegetative species, fencing of areas to prevent

1 animals or humans from entering sensitive areas, and felling damaged trees  
2 posing threats to human safety.

3

#### 4 **Burned Area Rehabilitation Costs**

5 This is the non-emergency replacement of facilities and resources damaged by  
6 wildfire or the re- establishment of ecosystem structure and functions.  
7 Rehabilitation is tied to a specific fire number (i.e. cost center FF.F3200000 fire  
8 code followed by a 0).

9

#### 10 **Suppression Related Rehabilitation Costs**

11 These are charged to suppression operations (FF.F20000) for rehabilitating on-  
12 site and off-site damage to resources caused by firefighting actions, and are part  
13 of the fire bill.

14

#### 15 **Physical Improvement Damage**

16 The damage or destruction of an improvement caused by the fire or fire  
17 suppression acts should be examined by qualified specialists and the cost of  
18 repair or replacement determined through bid estimates, appraisal, or  
19 contracting. Include only refuge-owned improvements.

20

#### 21 **Off-Site Values**

22 These values are usually related to water sources which have dried up or  
23 structures damaged as a result of fire. Damage should be assessed using  
24 replacement cost. The damage of off-site values caused by the fire and/or fire  
25 suppression acts should be examined by qualified specialists and the cost of  
26 rehabilitation and/or values lost and repair or replacement determined through  
27 bid estimates, appraisal, or contracting. Service Suppression Operations Costs

28 All direct costs incurred for the benefit of a specific fire are properly included as  
29 true fire costs for that case. They will include charges by the Service through  
30 Refuge(s), Regional Office(s), Office of Aircraft Services (OAS), NIFC, Alaska  
31 Fire Service, agency fire caches, and agency coordination and dispatch centers.  
32 Other direct costs, such as the cost of fire investigation and preparing and  
33 processing a report, should be charged to suppression operations (FF.F20000).

34 These direct costs are the amounts applicable to a specific fire case that can be  
35 accurately and readily determined. Fire costs improperly charged to a fire should  
36 not be included in a billing. In order to accurately account for these fire costs, it  
37 is important that all Service financial input documents are coded directly to the  
38 specific fire number. Subsequently, all reasonable and necessary Service  
39 suppression costs will be reflected on the Fire Suppression Cost Report/Project  
40 Obligation Transactions Report produced by the Service's Financial  
41 Management Section.

1

**2 Indirect (Administrative) Costs**

3 An indirect cost rate may be added to the Service's direct amount being billed.  
4 This rate is commonly negotiated at the Regional or Unit level.  
5 Administrative/indirect costs include centralized data management, general  
6 administration, and other support functions performed jointly for which the  
7 amounts pertaining to specific fires cannot be determined accurately. These  
8 costs also are incurred for the benefit of more than one subactivity or fire, and in  
9 amounts too small to be reported on time and attendance reports or other  
10 financial documents that obligate monies.

11

**12 Cost Database**

13 The Service's Finance Center issues a monthly Project Obligation Transaction  
14 Report (POTR) that displays the costs associated with fire incidents. Ensuring  
15 charges of the correct amount to these fire codes is the responsibility of the  
16 organization. If costs are not coded to the correct fire code, it will be nearly  
17 impossible to determine the exact cost of a particular fire.

- 18     ▪ Costs associated with aircraft services must be obligated/paid before  
19         these will be reflected in the POTR.
- 20     ▪ Payroll costs will be recorded in the month during which the actual  
21         payday falls.
- 22     ▪ Emergency Fire Fighter payroll will not be recorded until the certified  
23         schedule reaches the Service's Payroll Office (Bureau of Reclamation),  
24         Denver, Colorado.

25

**26 Other Related Direct Costs**

27 Costs incurred by third parties such as State organizations, rural fire districts,  
28 protection associations, and other Federal or State organizations must be  
29 compiled accurately for billings and recovery from the party or parties  
30 responsible for the fire. These costs will not appear on the Suppression Cost  
31 Report, and must be added.

32

**33 Civil Case Procedures and Billing****34 Fire Trespass and Case File**

35 All information regarding the trespass fire should be included in the case file  
36 such as the fire investigation case report, photos, newspaper clippings, cost  
37 report documents and any correspondence. It should be organized in a logical  
38 manner and kept in chronological order. Each case should be treated as if it will  
39 go into litigation.

40

**41 Trespass Register**

1 The case should be assigned a trespass case number from the regular Document  
2 Control Register log.

3

#### 4 **Case Preparation**

5 Back-up or supporting documentation may provide crucial evidence for cases  
6 that may be litigated. Originals of everything are required, such as Time and  
7 Attendance records and invoices. Once the fire investigation case report is  
8 complete several options should be considered to recover costs associated with a  
9 trespass fire:

- 10     ▪ If it is apparent that collection of the costs will be uncontested, the  
11       refuge should generate a *Bill for Collection* form, DI-1040 (Exhibit 10-  
12       4). This action does not eliminate the use of the judicial systems.  
13       However, it is important that the criminal case is resolved before  
14       pursuing civil remedies. It always strengthens the civil case if any kind  
15       of criminal judgment is passed against the responsible party. This can  
16       be a grand jury indictment up to and including an arson conviction.  
17       Each case should be treated as if it will go into litigation.
- 18     ▪ In most cases the Service is under proprietary jurisdiction, and the  
19       option exists to either use the State court system or the Federal judicial  
20       system to pursue collection of fire costs. The option to pursue a State  
21       court remedy is not available in those cases where the Service holds  
22       exclusive jurisdiction.

23 Each case should be reviewed to see which system will be most effective. Often,  
24 State laws are more appropriate when dealing with negligent type offenses, such  
25 as reckless burning. These factors, along with applicable State and Federal laws,  
26 should be considered when deciding what avenue to pursue. If the facts and  
27 evidence of the investigation are insufficient to show probable cause or the  
28 starting of the fire was clearly accidental and without intent or negligence, then  
29 cases should be collected through a billing or demand letter process. If this  
30 administrative procedure fails to obtain a full settlement, then it may be  
31 necessary to file a civil suit against the person in U.S. District Court. This is  
32 normally done through the Solicitor with the advice and consent of the U.S.  
33 Attorney.

34

#### 35 **Trespass Notification**

36 Personal contact should be made, if possible, with the responsible party before a  
37 *Bill for Collection* is sent. A cover letter should accompany each bill. The cover  
38 letter should contain information such as the fire date, location, and cause of  
39 fire. It should list why the individual is the responsible party and is receiving a  
40 bill. It should also outline procedures and due dates for payment.

41

#### 42 **Trespass Billing**

- 1 All *Bills for Collection* must be combined with the cover letter and a  
2 supplemental sheet that itemizes a breakdown of costs (retardant, etc.). Once a  
3 bill has been issued (Exhibit 10-4), all *Bills for Collection* must be sent by  
4 certified mail, return receipt requested.
- 5 The *Bill for Collection* form, DI-1040, is used by all field stations to notify  
6 individuals or companies of outstanding debts owed the Service. One copy of  
7 the completed form is to be submitted in a blue envelope to the Service Finance  
8 Center, Cost Accounting Section, promptly upon issuance by field stations.
- 9 The Service Finance Center will be responsible for any subsequent notices to the  
10 customer. A copy of all ensuing notices will be furnished to the appropriate  
11 organization. Instructions for preparing a *Bill for Collection* are as follows:
- 12 ● The "Bill Number" will consist of 10 numbers, with the first 5 digits being  
13 the organization code, the sixth digit being the fiscal year, the seventh digit  
14 being a "C," and the last 3 digits corresponding to your sequential document  
15 numbering system. Numbers can be obtained either from the regular  
16 Document Control Register log or a Collection Control Register log  
17 maintained at the Regional/field office. Example: Bill Number 61520-4-  
18 C001.
  - 19 ● The "Remit To" portion will mailed to the current lockbox address:

20 <u>Mailed Correspondence:</u>	20 <u>FedEx Delivery:</u>
21 U.S. Fish and Wildlife Service	21 U.S. Fish and Wildlife Service Cost
22 Accounting Section	22 Cost Accounting Section
23 P.O. Box 272065	23 7333 W. Jefferson Avenue,
24 Denver, CO 80227-9060	24 Suite 300
	25 Lakewood, CO 82035
	26 Phone (303) 984-6800
  - 27 ● The "Date" is the billing date. With the "Description," a due date will be  
28 placed which is 30 days from the billing date. NOTE: The first overdue  
29 notice will be sent out 32 days from the date the Finance Center loads the  
30 bill into FBMS. The bill will be loaded within 1 work day of receipt. The  
31 32-day period allows for interest and administrative charges to be assessed  
32 prior to the overdue notice being generated.
  - 33 ● "Payer" is the name and address of the individual or company billed.
  - 34 ● In the "Description," furnish a detailed explanation of the materials/services  
35 performed for the payer. In addition, the statement which follows must  
36 appear on all DI-1040s: NOTE: Full payment is due within 30 days after the  
37 above billing date. Prompt remittance is required to avoid the interest,  
38 administrative, and penalty charges on delinquent debts. The interest rate  
39 applicable to this bill is \_\_\_\_\_%, in addition to the \$\_\_\_\_administrative  
40 charge per each delinquent notice. In order for your account to be properly  
41 credited, please include a copy of this bill with your payment. If you have

- 1 any questions regarding this bill, please contact\_\_. Accounts more than 120  
2 days overdue will be assessed a 6 % penalty.
- 3 ● The interest rate applicable for inclusion into the above statement is  
4 determined by the Department of Treasury. As this percent changes,  
5 notification will be provided through subsequent FFS Bulletins. Penalties  
6 are charged in accordance with the Debt Collection Act of 1982.
  - 7 ● In addition, provide the payer with the name of a contact who is  
8 knowledgeable about the specific nature of the issued bill.
  - 9 ● Fill in the "Amount Due This Bill."
  - 10 ● Provide all pertinent information necessary to properly classify the  
11 funds. This includes cost center, subactivity, project, and fiscal year  
12 to which the billing is applied. Upon remittance, the Service Finance  
13 Center will apply the collection to the billing document number. The  
14 originating organization will be responsible for sending any  
15 confirmation of receipt of payment to the payer. The Finance Center  
16 must be notified any time the amount of the bill is going to be  
17 modified (upward or downward), and also "cc" the Finance Center  
18 with any correspondence regarding the billing. This documentation  
19 is required in the files if the bill has to be referred elsewhere.

20

### 21 **Less Than Full Payment**

22 If at any time it appears that less than full payment may be negotiated, the  
23 Regional Solicitor (Solicitor) will be involved. A complete case file should be  
24 submitted to the Regional Office with a memo recommending the case be  
25 forwarded to the Solicitor. The Solicitor acts upon recommendations by the  
26 Refuge and Regional Offices regarding compromised settlements. The receiving  
27 office will apply monies received to the bill using established collection  
28 procedures. At the same time, the difference between the original bill amount  
29 and compromise amount will be written off as uncollectible.

30

### 31 **Litigation**

32 Each case should be handled as if it will ultimately end up in litigation. Careful  
33 attention should be paid to following proper investigation and reporting  
34 techniques. Since wildfire cases are relatively new to the judicial community, it  
35 may be necessary to spend some time familiarizing the attorneys with char  
36 patterns and burn indicators, as well as general fire terminology. It is well worth  
37 the effort to establish a rapport with these individuals.

38 Once the case is received and put into the judicial system, the attorneys will be  
39 in control of the case. However, they will still work closely with Service  
40 personnel when additional information or recommendations are needed.

41

### 42 **Case Follow-up and Closeout**

1 Not every case will come to a hasty conclusion. There are statutes of limitations  
2 from the fire date to when action must be taken to identify the responsible party  
3 and prosecute or pursue collection. Cases should be considered active until  
4 termination for cause or the statute of limitations has expired.

5 Closeout of a case should include notification of the Regional Office, the  
6 appropriate Refuge Manager, and any outside agencies involved. It should  
7 include letters to key witnesses and notification to the news media.

#### 9 **Criminal Case Procedures**

10 If the facts and evidence in the investigation indicate possible criminal intent, a  
11 law enforcement officer should be contacted to determine if sufficient probable  
12 cause exists to seek prosecution. Upon determination of probable cause, criminal  
13 prosecution may be initiated.

#### 15 **Misdemeanors**

16 Misdemeanors of a less serious nature may be handled administratively by oral  
17 and/or written warnings. This is normally done when there is a technical  
18 violation of the law (misdemeanor), but under the circumstances, the violation  
19 appears to have occurred inadvertently or through ignorance of the law.

20 Remember that the law requires us to prove willful neglect under Section 303 of  
21 the Federal Land Policy and Management Act. Either a Service resource or law  
22 enforcement personnel can issue a warning.

- 23 • More serious misdemeanor violations are to be treated by the violation  
24 notice that calls for mandatory appearance before a U.S. Magistrate or  
25 by forfeiture of collateral in accordance with a bail schedule. Only  
26 delegated Law Enforcement Officers are authorized to issue violation  
27 notices.
- 28 • The option of filing a criminal complaint with the U.S. Attorney's  
29 office instead of a violation notice is an option of the Law Enforcement  
30 Officer, depending on circumstances and gravity of the violation.
- 31 • As in all law enforcement actions, appropriate line officials should be  
32 kept informed of the law enforcement actions taken.
- 33 • After appropriate administrative measures have been completed, the  
34 case should be closed with the closeout disposition form.

35 Examples of fire investigation processes and documents are located  
36 on the Service Fire Management SharePoint site.

#### 38 **Felonies**

39 In most cases, a felony committed in the presence of a Law Enforcement Officer  
40 should be dealt with by making an arrest. Some circumstances might merit

1 serving an arrest warrant when more assistance is available, e.g., other refuge  
2 officers, special agents, local law enforcement, etc.

- 3 • Where an actual physical arrest was not made, a criminal complaint  
4 becomes the necessary document to bring the violator into custody.
- 5 • An affidavit clearly spelling out the crime and the probable cause to  
6 arrest is then reviewed by a judge.
- 7 • When an arrest is made with or without an arrest warrant, a thorough  
8 search of the suspect is to be performed to ensure the safety of the  
9 officer, the suspect, and other persons.
- 10 • Only delegated Law Enforcement Officers are authorized to make  
11 arrests.

### 13 **Channel for Prosecution**

14 U.S. Attorneys prosecute all Federal laws, but will many times allow District  
15 Attorneys at the county level to handle particular cases. Many times, District  
16 Attorneys will prosecute cases when there is a corresponding State statute.

- 17 • A clear policy and understanding should be obtained from the U.S.  
18 Attorney's office and individual District Attorneys to ensure  
19 appropriate procedures.
- 20 • Law Enforcement Officers will coordinate criminal cases with  
21 appropriate prosecutors.
- 22 • The Service policy regarding news releases relative to criminal  
23 investigations or charges should be coordinated between Service Public  
24 Affairs personnel and the Office of the U.S. Attorney with regard to  
25 Federal cases, and the local prosecutor for State law violations.  
26 Normally, a press release is proper only after charges have been filed  
27 with the court and/or the defendant has made an initial appearance  
28 before the court system. These guidelines can vary, and should be  
29 formulated according to local rules.

### 31 **Trespass Glossary of Terms**

#### 32 **Civil case**

33 A civil case involves a trespass or civil wrong against a person or corporation. A  
34 civil case can be proven upon a preponderance of evidence, whereas a crime must  
35 be "proven beyond a reasonable doubt."

#### 37 **Civil offense**

38 Any negligent act that causes damage to resources or properties of the United  
39 States.

40

**1 Chain of Custody**

2 The steps an officer takes to ensure evidence is not "tainted" constitute the chain  
3 of custody. All persons handling the evidence must be able to show the evidence  
4 was not tampered with, and was in a secure location at all times prior to being  
5 introduced into court action.

**6 Criminal case**

8 A criminal case involves a felony or a misdemeanor crime. A crime is a positive  
9 or negative act in violation of treaties, statutes, and regulations pursuant to  
10 statutes. A criminal case must prove the elements of the crime charged.

**11 Criminal complaint**

13 There are two types of criminal complaints - misdemeanor and felony. The  
14 complaint charges a person or persons with a particular crime. It involves the use  
15 of witnesses and confidential informants, evidentiary material, and shows  
16 "probable cause." Probable cause is needed in the complaint to show the legal  
17 reasons why a person is charged with a crime.

**18 Criminal offense**

20 Any unlawful ignition act intended to damage the United States or its properties,  
21 or persons using public lands.

**22 Evidence**

24 Evidence has been defined as all the means by which any alleged matter of fact is  
25 established or disproved. It includes testimony, records, documents, objects, etc.,  
26 that can be legally presented at a trial for the purpose of inducing a belief in the  
27 minds of the court and jury as to the truth of the issue involved.

**28 Federal prosecution**

30 After a citation, criminal complaint, or arrest is made by an officer, the case is  
31 written up as an official criminal report for review by an Assistant U.S. Attorney.  
32 When the case warrants court action, the Assistant U.S. Attorney introduces the  
33 complaint to the court. The defendant is then brought before the court for his  
34 initial appearance. At that time, the judge will set a court date involving a court  
35 trial or trial by jury, or set sentencing if the defendant pleads guilty.

**36 Felony**

38 Any offense punishable by death or imprisonment for a term exceeding 1 year is  
39 a felony. An example of a felony would be 18 U.S.C. 1855, Wildlands Arson.  
40 This felony is punishable by a fine of \$5,000 or imprisonment of not more than 5  
41 years, or both.

1

**2 Fire investigation**

3 The process of determining origin, cause, ignition sequence, and responsible  
4 party for wildland fire.

5

**6 Fire origin**

7 The primary purpose of a fire investigation is to determine what caused the fire,  
8 and whether it was started by a natural ignition source (lightning) or person-  
9 caused. In most fires, the first step is to determine where the fire originated.  
10 Determining the origin narrows the search for and frequently pinpoints what  
11 caused the fire.

12

**13 Fire trespass**

14 The occurrence of unauthorized fire upon agency-protected lands where the  
15 source of ignition is tied to some type of human activity.

16

**17 Fire suppression**

18 All work and activities connected with control and fire-extinguishing operations,  
19 beginning with discovery and continuing until the fire is completely extinguished.

20

**21 Incident Commander (ICT1, ICT2, ICT3, ICT4, or ICT5)**

22 The IC is responsible for overall management of the incident which includes,  
23 providing reports to the Agency Administrator with incident jurisdiction. These  
24 positions may have one or more deputies.

25

**26 Initial Attack Forces**

27 The first people assigned to a wildfire incident.

28

**29 Initial Attack Incident Commander (IAIC)**

30 The Incident Commander at the time the first attack forces commence  
31 suppression work on a fire.

32

**33 Law Enforcement Officer**

34 The Service has two types of Law Enforcement Officers:

- 35 • **Special Agent** - A criminal investigator of the Service who is qualified,  
36 trained, and delegated authority by the Director to enforce applicable  
37 laws and regulations by conducting criminal investigations.
- 38 • **Zone/Refuge Officers** - An employee of the Service, who is qualified,  
39 trained, uniformed, and who is delegated authority by the Director to  
40 enforce applicable laws and regulations for the protection of resources.

1

**2 Litigation**

3 Any time a case has been referred to a Solicitor or prosecuting attorney for  
4 consideration, it is said to be in litigation until conclusion of the case.

5

**6 Misdemeanor**

7 An offense less than a felony. A misdemeanor involves a monetary fine and/or  
8 imprisonment not exceeding 1 year. An example would be 18 U.S.C. 1856, Fires  
9 Left Un-attended and Un-extinguished. This misdemeanor is punishable by a  
10 fine not to exceed \$500.00 and/or imprisonment of not more than 6 months.

11

**12 Negligent act**

13 Any unplanned act which lacks sufficient caution to prevent unwilling damage  
14 to properties of the United States.

15

**16 State prosecution**

17 Crimes are prosecuted in a similar manner at the State level as at the Federal  
18 level.

19

**20 Witness**

21 Witnesses are persons who, through their senses, have knowledge of an act.  
22 Witnesses have information that can be used in legal proceedings. The courts  
23 may require that witnesses testify to first-hand information.

24

**25 Trespass References**

26 [\*Guide to Wildland Fire Origin and Cause Determination\*](#) (NWCG PMS 412,  
27 NFES 1874).

**Exhibit 10-3: Initial Report of Unauthorized Use**

<b>INITIAL REPORT OF UNAUTHORIZED USE</b>		Number	
		Region	
		Refuge	
		Date	
1. Name of person reporting violation*			
Address (include zip code)			
2. Occupation and title			
3. Date	a) Reported (month, day, year)	b) Discovered (month, day, year)	
4. Type of unauthorized use			
FIRE			
5. LOCATION			
Section	Township	Range	Subdivision
Meridian	County	State	
6. How was the unauthorized use discovered?			
7. What does unauthorized use appear to be? (Check One)	<input type="radio"/> Criminal	<input type="radio"/> Civil in nature	
8. What is the recommendation? (Check one)	<input type="radio"/> Report immediately to FWS Special Agent	<input type="radio"/> Investigate further	
Name of reporting Officer			Title
Comments and Recommendations  (Include name and address of suspected unauthorized user, if known)			
(Signature of Reporting Officer)			
*Informant=s name may be held confidential at their request			

1