Form 9260-2.8
(March 2012)

U.S. Department of the Interior
Bureau of Land Management
Office of Law Enforcement and Security

MEMORANDUM OF INTERVIEW

Date and Time:	March 30, 2012 at 1725 hours
Person Interviewed:	Kirk Will Assistant District Forester
Contact Information:	Colorado State Forest Service-Golden District Office 1504 Quaker Street Golden, CO 80401 303-279-9757
Interview Location:	Colorado State Forest Service-Golden District Office 1504 Quaker Street Golden, CO 80401
Interviewed By:	SA Shannon Tokos
Reference:	Case File #LM1200582 Lower North Fork Fire Origin and Cause Determination

On 03/30/12, Bureau of Land Management (BLM) Special Agent, Shannon Tokos interviewed Kirk Will, Assistant District Forester, Colorado State Forest Service (CSFS), Golden District Office. Also attending the interview was Jefferson County Sheriff's Investigator, Don Roach. Will provided the following information pertaining to the Lower North Fork Fire.

On Monday, 03/19/12, Will was the Burn Boss for the prescribed burn in Unit 4. The crews completed the blackline below the road in anticipation of the upcoming prescribed burn. When they were finished, the blackline was one to two chains in width (66'-132'). The area was mopped up completely and there were no issues with spot fires that day.

On Tuesday, 03/20/12, Will remained at the Golden District Office. He sent a crew up to check on the unit and install a hose lay, porta tank and pump. Will did not receive any report of smoke or fire activity from the site that day.

On Wednesday, 03/21/12, Will was involved with burning a unit called White Ranch near Colorado State Highway 93. He sent someone up to the Lower North Fork to check on Unit 4, and they reported that there were no issues at the site.

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That evening (03/21/12) Will worked on making arrangements for the prescribed burn that was scheduled to take place the following day. He confirmed that there would be two 20 person crews on site along with the Platte Canyon Firing Crew, Type 6 Engines from Boulder, Fort Collins, Lyons, and Canon City as well as overhead personnel. Will mentioned that signs alerting local residents about the pending prescribed burn had been posted the previous Thursday (03/15/12).

On Thursday, 03/22/12, Will was the Burn Boss for the prescribed burn in Unit 4. He explained that he had double the resources on site, then what was called for in the burn plan. The crews met in Reynolds Park for a briefing at 0830 hours. When Will arrived at the unit, the blackline was cold and looked great. He completed the "Go No-Go Checklist" and determined that the burn was in prescription.

In regard to communication, Will stated that they were utilizing "Jeffco South" and each unit had their own channel (e.g. holding, firing etc.) All channels were being monitored. There was an 800 mhz. radio on scene, and both the Jefferson County Sheriff's Office as well at the Pueblo Interagency Dispatch were notified of the burn.

According to Will, the prescribed burn was lit and the fire progressed without incident. It burnt to the blackline and died out. Will reported that there were 4-5 spot fires during the burn. They were all within feet of the line and were barely expanding. The fire was not spotting frequently, so there was no need to stop the prescribed burn. Mop-up was initiated to secure the line. Will stated that the fire line was secured one to two chains in toward the interior of the burn (66'-132'). The interior of the unit was left to burn itself out. The crews left the area between 1900 and 1930 hours. Will stated that there were no known problems with the burn that day.

On Friday, 03/23/12, the 20 person SWIFT crew returned to Unit 4 along with at least four Type 6 Engines. The crews continued to mop-up the area. According to Will the unit was bordered by two to three chains (deeper in places) of solid black line. Will received a report from Kevin Michalak, Technician II/Engine Boss, CSFS, Golden District Office, that there were no issues with the unit.

On Saturday, 03/24/12, Michalak reported to Will that there were two small areas within the interior of the burn unit that were still smoking. Michalak stated that there were at least two chain lengths (66'-132') of cold line surrounding the fire, and nothing was threatening. Will and Michalak discussed the need for crews to return to the unit on Sunday, and they decided that it was not necessary.

On Sunday, 03/25/12, Will stated that the unit was not checked by CSFS personnel.

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On Monday, 03/26/12, Will checked the burn unit at White Ranch in the morning and headed back to the CSFS Golden District Office. He was hoping to be able to put the Lower North Fork prescribed burn into patrol status by the end of the day. At approximately 1300 hours, while enroute back to the office, Will overheard Michalak call the Golden District Office on the radio and request a Type 6 Engine. Will contacted Michalak on the radio and asked if he needed to respond. Michalak stated that he did not need him at that time.

Will arrived at the CSFS Golden District Office at approximately 1330 hours. He heard Michalak state that the winds had picked up and they had a fire slop over the line. Michalak requested more resources.

At approximately 1345 hours, Michalak called Will on the phone and stated that the unit was experiencing heavy winds and that he needed more resources. Will mentioned that his tabular forecasts did not predict the winds that Michalak was experiencing until that day.

On 03/26/12, at approximately 1346 hours, Will called Rocco Snart, Fire Management Officer, Jefferson County Sheriff's Office, Golden, Colorado on the phone. Will informed Snart that there was a slop over on the Lower North Fork Fire prescribed burn and requested contingency resources. According to Will, Snart called in additional resources. Will also requested suppression resources from the CSFS Boulder District Office.

At approximately 1350 hours, Will received a call from Michalak. Michalak stated that the fire was growing fast and requested more resources. Will then called Allen Gallamore, District Forester, CSFS Golden District Office and advised him of the situation.

At approximately 1415 hours, Will called Michalak for a status check. Will stated that at 1430 hours, the Lower North Fork Fire was declared as an "escape" because it could not be controlled with on-scene resources even though it was still within the boundaries of the maximum management area, as defined by the prescribed burn plan. Will requested that the Jefferson County Type 3 Incident Management Team be activated along with additional resources. Will stated that there was some discussion regarding activating air suppression, but it was determined that the wind conditions were too high for aircraft to fly.

On 03/26/12, at approximately 1515 hours another fire was reported in the foothills near Lookout Mountain.

According to Will, at approximately 1530 hours Gallamore headed up to the Lower North Fork Fire as the Fire Duty Officer. A Type 7 Engine was sent up to act as a radio repeater. At this point a third fire was reported in the vicinity of Stagecoach and Grapevine. That fire was reported to be approximately 30 acres in size.

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At 1600 hours, Michalak reported over the radio that the Lower North Fork Fire escape was approximately ten acres in size. Will then assumed the role of agency representative/liaison and Snart became the contact for resource requests.

On 03/26/12, at approximately 1630 hours the Type 3 Incident Command Team from Jefferson County began taking over the incident.

At 1643 hours, Will heard that Curt Rogers, Fire Chief, North Fork Volunteer Fire Department, Buffalo, CO had assumed the role of Incident Commander on the fire.

Some of the information that Will reported, came from radio transmissions that he heard while in his vehicle or in the CSFS Golden District Office. Additional information was obtained via phone conversations. Will said that he took notes on a CSFS Incident Communications/Action Log, which he referred to during the interview. However, he mentioned that he did not make the notations contemporaneous to the actions. Roach obtained a copy of the log, which is included in the investigative file.

At this point on 03/26/12, Snart requested that Will respond as the State Agency Representative to the Grapevine Fire.

Will finished with the Grapevine fire around 1830-1900 hours on 03/26/12. He then drove to Golden, CO to meet with Snart.

Will stated that he believes that he did everything in his power to make sure the prescribed burn was cold and out.

I certify that this report has recorded in it a summary of all pertinent matters discussed with the witness on 03/30/12, and that I prepared this report on 04/09/12 after refreshing my memory with notes made during and immediately after the interview with the witness/suspect.

/s/ Shannon J. Tokos
(Signature)
Shannon J. Tokos, Special Agent
Office of Law Enforcement and Security Region 4

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