

NOV 12 1987

## Warren Grove Weapons Range Cooperative Agreement

### 1. Purpose and Background

On May 8, 1985 the National Guard Bureau, the New Jersey Department of Defense, the Pinelands Commission, the National Park Service and the New Jersey Department of Environmental Protection signed the 'Warren Grove Weapons Range Cooperative Agreement and Land Management Plan' prepared by the National Park Service and dated January 4, 1985. The Agreement was entered into for the purpose of coordinating actions that pertain to developing, managing and protecting the natural resources at the Warren Grove Weapons Range.

The cooperative agreement was valid until October 1, 1989. The purpose of the agreement presented here is to extend certain terms of the May 8, 1985 agreement through October 1994. This Agreement will be cooperatively implemented by the National Guard Bureau, the New Jersey Department of Defense, the Pinelands Commission and the New Jersey Department of Environmental protection.

## 2. Responsibilities

Whereas, the Commander of the 108th Tactical Fighter Wing has jurisdiction over the Warren Grove Weapons Range, hereinafter referred to as the Range, and is primarily concerned with the conduct of the Range mission, and also has the trusteeship responsibility to enhance, protect and maintain natural resources and provide controlled public access to the Range; and

Whereas, both the Pinelands Commission and the Department of Environmental Protection are mandated under the laws of the State of New Jersey to preserve and protect the natural resources of the Pinelands;

Whereas, it is the mutual desire of the New Jersey Air National Guard, the Pinelands Commission and the Department of Environmental Protection to work in harmony for the common purpose of protecting, enhancing, and maintaining the natural resources at the Range in the best interest of the people served by these resources;

Therefore, it is mutually agreed that:

Section I - Joint Activities of the New Jersey Air National Guard,  
the Pinelands Commission and the Department.

1. The New Jersey Air National Guard, Pinelands Commission and Department of Environmental Protection agree to cooperatively implement, within the limits of available funds and personnel, a management program which is consistent with the intent and objectives of Part II of the 'Warren Grove Weapons Range Cooperative Agreement and Land Management Plan' dated January 4, 1985, and referred to hereafter as the Plan. Any financial responsibility of the Air National Guard will be subject to the Congress appropriating funds for such a purpose. Nothing in this agreement shall prevent the New Jersey Air National Guard from initiating and continuing activities essential to its national defense mission.

2. The Pinelands Commission and the Department of Environmental Protection will act in an advisory capacity to the New Jersey Air National Guard on matters that pertain to the management of natural resources on the Range. Actual

management of the natural resources will remain the responsibility of the New Jersey Air National Guard through the Range Commander.

3. An interdisciplinary approach must be promoted by all interested parties to resolve problems that relate to multiple use management of natural resources.

4. All parties will jointly meet as needed to discuss matters that relate to management of the natural resources of the Range.

5. This Agreement will begin upon execution and is expected to be valid until 1 October 1994. This Agreement may be modified or amended in mutual agreement by the authorized representatives of the agencies. However, The Adjutant General, New Jersey Department of Defense, on written notice to the Commission and the Department has the right to terminate this Agreement (in whole or in part) at any time when, in his or her opinion, the installation's mission or other national security requirements make termination or modification a necessity.

Section II - New Jersey Air National Guard Responsibilities

1. The New Jersey Air National Guard will maintain the scientific use and study area identified in Part II of the Plan as an undisturbed natural area for study and research on Plains ecology and management.

2. The New Jersey Air National Guard will limit vehicular access to the Range to the main access road. All other entry roads and trails will be blocked to vehicular access through the use of berms, trenches, posts, and fences. Motorized use will be limited to properly registered vehicles operated by licensed drivers. Controlled access for fire fighting equipment will be provided.

3. The New Jersey Air National Guard will limit recreational vehicle use to organized events which are reviewed and approved cooperatively by the New Jersey Air National Guard and the Pinelands Commission. The East Plains section of the Weapons Range will be closed to recreational vehicle use.

4. The New Jersey Air National Guard will allow controlled access to the Range for hunting, birdwatching, gathering, and other passive uses which do not conflict with military

operations and safety requirements, and will consider suspending range activities, unless such an action conflicts with mission requirements, during shotgun season for deer to permit hunting on the range.

5. The New Jersey Air National Guard will maintain its on-going program to revegetate disturbed sites identified in Part II of the Plan. The objective of this program will be to preserve and enhance the Plains and Pine Barrens landscapes found within the Range area.

6. The New Jersey Air National Guard personnel will assist the Department of Environmental Protection - Bureau of Forest Fire Management in implementing a fire management program.

7. When initiating activities involving construction or disturbance of land, the Department of the Air Force, functioning through the New Jersey Air National Guard, will discuss the activity with the Pinelands Commission and where practical perform these activities in accordance with Subchapter 6 of the Comprehensive Management Plan and with the recognition that the East Plains are a critical natural resource. The formal procedure for Pinelands Commission review of construction or land disturbance activities included in N.J.A.C. 7:50-4.52 of the Comprehensive Management Plan shall be followed only as appropriate for

federal undertakings which otherwise require state or local permits pursuant to federal law or regulation, or for those activities undertaken at the sole discretion of a state agency. Exceptions for National Defense as provided for by N.J.A.C. 7:50-4.52(d) of the Comprehensive Management Plan shall apply.

8. The New Jersey Air National Guard will provide Range access to authorized agents and employees of the Service, the Commission, and the Department in the execution of this cooperative agreement unless security or other military exigency should prevent the granting of such access.

#### Section IV - Pinelands Commission Responsibilities

1. The Pinelands Commission will advise the New Jersey Air National Guard on protection and management of the natural resources of the Weapons Range.

2. The Pinelands Commission and the New Jersey Air National Guard will cooperatively review and approve, if appropriate, organized recreational vehicle events.

Section V - Department of Environmental Protection

Responsibilities

1. Upon request, the Department of Environmental Protection-Bureau of Forest Management will supply pitch pine seedlings, grown from seeds obtained at the Range, to the New Jersey Air National Guard for Range revegetation work.

2. The Department of Environmental Protection - Bureau of Forest Fire Management will pursue the development of a fire management plan which preserves the integrity of the Range landscape and provides a fire regime which is conducive to the maintenance of the Pine Plains.

3. The Department of Environmental Protection - Bureau of Forest Fire Management will assist the New Jersey Air National Guard in fighting forest fires occurring at the Range and will notify the Range of fire hazard conditions which may require that activities be limited.



The signatures hereto mutually agree to implement this cooperative agreement.

Date: 28 August 91

National Guard Bureau

By 

Date: 21 Oct 91

New Jersey Department of  
Military and Veterans' Affairs

By 

Vito Morgano, MG, TAG

Date: October 29, 1991

Pinelands Commission

By 

Terrence D. Moore  
Executive Director

Date: November 8, 1991

New Jersey Department of  
Environmental Protection

By 

State Forester