

AT STATE HOUSE RALLY, 'GREENS' VOW TO FIGHT BACK AGAINST DEP ROLLBACKS

TOM JOHNSON | OCTOBER 28, 2015

Environmentalists claim new agency rule proposal will open up parts of the Highlands to greater development, threaten water supply

Saying the drinking water of half the state is threatened, a coalition of environmental groups yesterday vowed to fight a new rule proposal that they fear would open up portions of the Highlands to increased development.



Elliott Ruga, policy director of the New Jersey Highlands Coalition

In a rally on the State House steps, most of New Jersey's most prominent environmental organizations said the rule reflects a continuing rollback by the Christie administration of environmental safeguards that protect drinking water and water quality and prevent flooding.

The water-quality management rule was made public a week ago Monday -- the same day the Senate voted to **override a separate but equally complex rule** from the state Department of Environmental Protection. Critics said that proposal would lead to more pollution of the state's most pristine streams and increase the risk of flooding.

To environmentalists, the most recent rule, which deals with where new sewage-treatment plants can be located in the Highlands, is part of an ongoing effort by the administration to undercut the 11-year-old law to protect 860,000 acres of forest, farmland, and other areas in northern New Jersey and the source of drinking water for 5.5 million residents.

"The governor said he wanted to repeal the Highlands Act, but said the Legislature won't let him," said Jeff Tittel, director of the New Jersey Sierra Club. "So instead, he is trying to repeal the act one rollback at a time, one rule proposal at a time, and one Highlands Council appointment at a time."

The DEP has said the **new rule proposal** is designed to reduce unnecessary red tape while maintaining environmental protections. Larry Hajna, a spokesman for the agency, claimed that the provisions of the rule environmentalists say would lead to increased development do not apply to the Highlands, which is governed by its own standard.

But environmentalists say otherwise, particularly when it comes to septic systems. They say that changes to the technical standards dealing with how much nitrate can go into groundwater will lead to more development. In meetings with the DEP before the rule was published they were advised that the agency intended to increase by 400 percent the number of septic systems -- or septic system yields -- in the Highlands Preservation Area.

Further, they were told that the change will be a component of the modifications to the Highland Preservation Area rules to be proposed later in the fall.

"Rules to allow a fourfold increase in residential development on septic systems will further fragment the core forests that protect the Highlands water supply, add impervious cover that will reduce groundwater recharge, and degrade the quality of groundwater," said Elliot Ruga, policy director of the New Jersey Highlands Coalition.

Ruga said the new water-quality management rule violates legislative intent and opponents will press the Legislature to pass a resolution to that effect, as they recently did with the other DEP proposal.

Jennifer Coffey, director of the Association of New Jersey Environmental Commissions, accused the DEP of being in denial and undoing progressive management rules currently in place. "In a word, this is 'backsliding' and must be reversed," she said.

Critics say that delegating more authority to local governments over where sewage treatment plants are located will lead to more development in environmentally sensitive areas.

"Increasing sprawl won't make our drinking water safer, and DEP knows it. Instead they're following our governor's lead by selling out our future to his campaign donors," said Bill Kibler, director of policy for the Raritan Headwaters Association.

The DEP has said the new rule would limit where sewers can be built, keeping denser development away from environmentally sensitive areas. The agency will hold the first public hearing on the rule on November 10 in Morris Township.