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**FOR IMMEDIATE RELEASE**

**NEW JERSEY FARM BUREAU APPLAUDS APPELLATE COURT'S DECISION  
ON DEP'S SEPTIC DENSITY RULES FOR THE HIGHLANDS**

**Trenton, NJ (July 22, 2008)** -- The New Jersey Farm Bureau says the Appellate Division of New Jersey Superior Court made the right decision by calling for a special evidentiary hearing regarding the validity of the Department of Environmental Protection's (DEP) septic density standards for the Highlands Region. The DEP rules specified that no more than one "individual subsurface disposal system" be permitted per 88 acres of an all-forested lot or 25 acres of any lot not containing forest.

"The court's decision is a victory for Highlands landowners, especially those in the Preservation Area," says Richard Nieuwenhuis, president of the Farm Bureau. "The septic density standards are at the core of the DEP rules, and if kept as adopted, pose the greatest threat to landowner rights and equity in the region."

Since the rules were introduced Farm Bureau has maintained that the DEP erred in its reasoning and questionable use of science. The court's decision seems to echo that sentiment, as evidenced by the decision delivered by Judge Skillman, stating "The Farm Bureau has raised substantial questions regarding the reasonableness of the methodology that the DEP used in establishing the septic density standards... Therefore, Farm Bureau should be afforded the opportunity for an evidentiary hearing to contest the validity of these standards."

“This decision provides a welcome respite for landowners who have seen an unending stream of rules and regulations without appropriate concern for property rights,” said Nieuwenhuis.

New Jersey Farm Bureau has been a constructive critic of the Highlands regulations from the start, advocating for conservation in the region, but in a balanced way that also takes into consideration concerns of the residents and economy of the region.

“We look forward to this hearing before the Office of Administrative Law as an opportunity to present the best available science, so together we may achieve the Legislature’s intent for this region,” concludes Nieuwenhuis.

For further information, contact the New Jersey Farm Bureau, at The Farmhouse, 168 West State Street, Trenton, NJ 08608. Phone 609-393-7163; fax 609-393-7072; email [mail@njfb.org](mailto:mail@njfb.org); website [www.njfb.org](http://www.njfb.org)

The New Jersey Farm Bureau is a non-profit member organization of 14,000+ farmers and farm-related individuals within the Garden State. It is the only organization solely dedicated to representing the grass- roots interests and directives of its members in educating all levels of government and the public on the farm community’s policies and positions. The Farm Bureau also takes a lead in seeking out initiatives, activities and ventures to enhance the profitability of producer members and ensure the viability of agriculture in New Jersey -- *the Garden State for Good Reason -- our farms.*

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