

# Deference to State Agencies Remains Strong Under New Jersey Law

## Articles

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In an article for the *New Jersey Law Journal*, attorneys [Carlos Bollar](#), [Charlie Dennen](#) and [Thomas Tyrrell](#) write that the New Jersey Superior Court, Appellate Division's recent decision upholding the New Jersey Department of Environmental Protection's Environmental Justice Rules sends a clear message: judicial deference to state agency action remains firmly entrenched under New Jersey law, notwithstanding the U.S. Supreme Court's ruling in *Loper Bright Enterprises v. Raimondo*.

This decision highlights the continued strength of agency authority in the state, particularly in the context of New Jersey's 2020 Environmental Justice Law. The ruling affirms NJDEP's role in regulating environmental justice through its 2023 rules, which require certain facilities in overburdened communities to conduct impact assessments and engage with the public to mitigate environmental and public health risks. While the challengers argued that NJDEP exceeded its statutory authority, the Appellate Division reinforced that New Jersey courts consistently afford significant deference to agency interpretations and rulemaking, especially when implementing new legislation. This affirmation of deference signals that, despite recent shifts in federal administrative law, New Jersey's longstanding principles of agency authority remain strong.

Click [here](#) to read the complete article.

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