



United States Department of the Interior
NATIONAL PARK SERVICE
UPPER DELAWARE SCENIC AND RECREATIONAL RIVER
274 River Road
Beach Lake, Pennsylvania 18405



IN REPLY REFER TO:

10.B (UPDE-4870)

January 10, 2025

Helene Hoffman, Planning Board Secretary
Town of Highland Planning Board
4 Proctor Road
Eldred, NY 12732

RE: Comments on the Camp FIMFO Modernization and Improvement Project DEIS dated November 20, 2024

Dear Town of Highland Planning Board,

We would like to thank the Town of Highland for inviting the National Park Service (NPS) and the Upper Delaware Council (UDC) to participate in the State Environmental Quality Review (SEQR) process for the proposed Camp FIMFO Modernization and Improvement Project. Our participation in the DEIS submission reviews to date by SUN NG Kittatinny RV, LLC have focused on document completeness, based on the Resolution to Accept the Final Scope adopted by the Planning Board in December 2023. We note that the adopted DEIS scope had several limiting factors, such as not requiring the applicant to evaluate an alternative other than the 'no action' alternative that would bring the proposed project into substantial conformance with the Secretary of the Interior's Land and Water Use Guidelines for the Upper Delaware Scenic and Recreational River. Please accept these written comments on the content and findings of the Camp FIMFO Modernization and Improvement Project DEIS dated November 20, 2024.

Upper Delaware Scenic and Recreational River Context

Upper Delaware Scenic and Recreational River was established under the Wild and Scenic Rivers Act (Public Law 95-625) in 1978 to preserve the Upper Delaware River in its free-flowing condition and to protect the outstanding resources for which it qualified for inclusion in the National Wild and Scenic Rivers System. These Outstandingly Remarkable Values (ORVs) include a free-flowing river, exceptional water quality, as well as ecological, recreational, scenic, geologic, and cultural values. The Wild and Scenic Rivers Act (PL 95-625, Section 704) assigns NPS the responsibility to protect lands within the Upper Delaware Scenic and Recreational River corridor. The context of the surrounding area is important to consider when evaluating community character and visual impacts of the proposed project.

Existing Character of the Upper Delaware Scenic and Recreational River Corridor

The Upper Delaware River exhibits some of the highest ecological integrity found in any of the large rivers of this region. As the least-developed section of the last major undammed river on the Atlantic Coast, the exceptional water quality, resulting from a predominately forested landscape, sustains high quality fish and aquatic life. These aquatic conditions, combined with good riparian habitat with a functioning floodplain, provides great hydrological connectivity, structure, and function. The Upper Delaware River's ecological value provides regionally important high quality historic spawning and rearing habitat for sea-run migratory fish and inland bald eagle wintering habitat.

The high scenic quality of the Upper Delaware corridor landscape results from the contrast of farmland and villages on the linear valley floors and the forested hills that surround the valley. This rural landscape is recognized as significant within the Northeastern US and is readily accessible to over 30 million people who live within 150-mile radius of the river. The combination of proximity to major metropolitan areas, high visual quality, and consistent flows make the Upper Delaware one of the finest recreational rivers in the Northeast. This context is important in evaluating the impacts of the proposed project.

DEIS Comments

Community Character

Section 1.4 of the DEIS mentions a 2019 study commissioned by the NPS performed by a consultant CBRE. We would like to note that in addition to the excerpts provided by the applicant in this section, the study recommends parks to make decisions on what campground amenities are appropriate on a campground-by-campground basis, which could range from a campground free of vehicles to more complex amenities like electrical hook-ups at all RV sites. The study states that the trend that is consistent with all campers is a growing desire to have an experience that is “close to nature,” acknowledging that concept can vary greatly from camper to camper. Thus, the report recommends that it is important to implement changes carefully, balancing the need for providing the level of amenities that campers want while making sure to keep campgrounds in a state as close to natural as possible.

The proposed project intends to significantly develop the site from the existing primarily primitive tent campground. The current campground consists of 271 primitive tent sites, 58 sites available for RVs, and 13 sites occupied year-round by Park Model RVs (PMRV) structures. As such, 329 of the primitive tent campsites and RV sites are transient in nature and do not have tents or RVs present when campers are not present. By comparison, the proposed campground would have approximately 209 campsites with year-round camping structures, including 145 PMRV sites with water and sewer, 46 year-round/permanent RVs with water hookups, 9 permanent cabins with water hookup, and 9 safari tents with water hookup, detailed in Table 3. According to Table 4 Proposed Campsites and Amperage, there will be only 9 traditional tent campsites remaining of the original 271, all of which will have water hookups. Table 9 describes additional campsite amenities including concrete parking and concrete patios at 119 sites.

Per Section 2.6, recreational amenities include the livery business, which has no associated structures but requires canoe storage. The plan also proposes upgrading the two existing zipline structures and playground structure. Other recreational amenities include hiking, paintball, and open areas for sports. New recreation amenities proposed with this plan include a 66,950 SF aquatic play center, mini golf, a 1,500 SF bouncing pillow, and new sports courts including pickleball and basketball.

The current Adventure Center will be replaced with a Welcome Center that is 1,585 SF larger in size. The two existing maintenance buildings will be replaced with one maintenance and storage building that will exceed the size of the two current building by 1,223 SF. The existing Camp Store will be repurposed into a new food and beverage building with seating for approximately 20. The overall parking reconfiguration will add 27-47 new spaces, converting much of the existing informal or gravel parking areas to more formal and/or paved lots, as well as the addition of sidewalks. Parking areas and sidewalks will have lighting added, as well as exterior lighting on the RV porches. The project also proposes 16 new septic systems in addition to the existing 9, adding new septic and/or water hookups at an additional 206 campsites (229 total). Section 1.4 states that “the revitalized campground will essentially double the number of employees.”

We acknowledge several of the proposed changes include much-needed safety upgrades and/or address deferred maintenance. However, the reality of a majority primitive tent camping facility, with most campsites devoid of structures when campers are not present and with primarily low-impact recreational features, shifting to a primarily RV and cabin campground with year-round permanent camping structure

and an increased number, size, and intensity of recreational amenities with increased hardscaping throughout, significantly increases the intensity of the use. The proposed project also has the potential to serve as precedent for future projects, which could have exponential consequences to character and quality the river. Therefore, we disagree with the statements made in the DEIS including sections 4.1.3.A, 4.3.4, and 5.3, 5.3.5.

NPS finds that the cumulative impact of the proposed changes will substantially alter the intensity of the existing primarily primitive tent camping facility in a manner that is incompatible with traditional character of the area. Of note, Section 17 of the DEIS appears to include at least one statement of no significant adverse impact in every section except Community Character/Visual Impacts.

Visibility/Viewshed Impacts

The visibility analysis performed as a part of this DEIS confirmed that the visual character of the proposed development would be different from existing conditions, and that visibility of the site is anticipated to increase at the publicly accessible Upper Delaware River. The impacts of visibility from the river are informed not only by the increase in visibility of the site from the river, but also by the change in the character of what is visible. The overall character of the campground is increasing significantly in intensity from primarily primitive tent camping facility to a significantly developed camping and recreation facility.

One proposed change in intensity that will have a particularly significant impact on the view of the site from the river is the conversion of the current 'overflow' lot for the livery business along the river (South of Route 97) into the primary parking facility for the livery. We acknowledge that one of the reasons for this change is improved safety and do not argue its merits, however the impact in the viewshed from the river is that of a large grass area with some staging and occasional vehicles to potentially 126 vehicles.

The change in intensity of the campground as a whole, and in particular the change in intensity of what is currently overflow parking along with river, will result is a significant adverse impact to the viewshed from the Upper Delaware Scenic and Recreational River. We strongly recommend the applicant consider mitigation to reduce the visibility of the project through vegetative screening along the perimeter of the parking area, and to consider utilizing a berm landscape buffer to increase effectiveness, pending consistency with the Town's Floodplain regulations. An adequate buffer in this location would also help address the noise impact of the project to the river/river users shown in Figures 68 and 69. It would also help control runoff once the area becomes compacted from the frequency and scale of parking use.

Aquatic Resources and Floodplains

Section 8.3 goes into great detail to describe the importance of riparian buffers for stream health and water quality by slowing runoff, filtering pollution, preventing soil erosion, and shading the stream to keep waters cool. It states that "Zone 1 should be at least 15 feet wide, because in this area trees shade and cool the stream providing better conditions for brook trout or other cold water-dependent fish species." This section then describes 400 SF of clearing planned within the 15-foot riparian buffer of Beaver Brook to grade out the edges of a road that is proposed to be widened. The plan does not appear to consider alternatives or actions to mitigate the impacts of this or other tree and vegetation removal activities in the riparian buffer zones along Beaver Brook.

Groundwater Resources and Water Supply and Sanitary Sewage

Section 1.4 Project Purpose states the existing bathhouses are linked to existing septic systems, which were constructed prior to current wastewater and subsurface disposal system regulations by the State. There are several references in the DEIS to the existing septic systems being substandard, but according to section 10.3.1 the existing 9 septic systems will continue in use with no modifications proposed. We find it concerning that the method of "improving" the existing substandard wastewater infrastructure is to

make no improvements to the existing systems while continuing to utilize them, and to install an additional 16 septic systems. The characterization throughout the DEIS of the additional systems being necessary to address the existing outdated, substandard infrastructure seems misleading. The only deficiency the additional 16 septic systems seems to address is to increase capacity due to the increase in intensity of the use, including the proposed 229 sewer sites which make up 11 of the 16 new systems.

Consistency with Public Policy

The 1986 Upper Delaware Scenic and Recreational River Management Plan (RMP) stands as the agreement between the United States Government and the communities affected by designation of the Upper Delaware River for carrying out the provisions of the enabling legislation. To preserve the integrity of the Outstandingly Remarkable Values (ORVs), the enabling legislation requires that within the corridor boundary the NPS review all relevant local plans, laws, ordinances, and significant projects to determine whether they substantially conform with respect to the Schedule of Compatible, Conditional, and Incompatible Land Uses set out in the Secretary's Land and Water Use Guidelines (Guidelines), the substance of the RMP, and the substance of each of the principles and objectives set out in the Guidelines and the RMP.

One of the primary goals in evaluating projects for Substantial Conformance is to determine whether a project protects, encourages, or promotes the continuation of traditional land and water uses that existed at the time the 1986 Final River Management Plan was adopted. The NPS detailed our concerns in a Significant Project Substantial Conformance Review issued July 2023, which determined that the proposal does not meet this requirement.

The proposed project will change the land use intensity of the campground by installing permanent camping structures, many provided with individual sewer and water connections. The result is a fundamentally more intensive use than the primitive tent camping that has occurred on the site for 80 years. Therefore, NPS disagrees with the statement in 4.3.5 that "[t]here are no identified significant adverse impacts to public policy." The applicant has yet to resolve the nonconforming components of the proposed plan. Though the applicant may disagree with the determination of the Department of Interior, it is the only official determination in the Substantial Conformance process and it remains unchanged to date. We question whether a positive SEQRA finding can be issued if the project has an official determination that it is inconsistent with public policy.

Conclusion

Camp FIMFO is the largest development proposed within the Upper Delaware Scenic and Recreational River Corridor since its designation as a Scenic and Recreational River in 1978. The National Park Service is concerned with its potential impact on the character and resources that contributed to the designation of this area of national importance. In our July 2023 review, NPS determined this project does not meet the requirements for substantial conformance with the RMP. NPS also found the proposal does not maintain or conserve the essential character of the corridor. In this review of the DEIS dated November 20, 2024, we have identified significant adverse impacts to a public resource in terms of character, visibility, concerns of significant adverse impacts on groundwater resources, and significant adverse impacts to public policy.

The protection of the river and corridor has both ecological and economic importance, as the Upper Delaware Scenic and Recreational River contributes to \$21 million annually to the local economy. NPS supports economic development that will enhance the quality of life for residents as well as help us fulfill the mandate of Congress to preserve our resources for the benefit of today's visitors and future generations.

We look forward to continued engagement on this project as it proceeds through the process of New York State's Environmental Quality Review Act. Thank you for the opportunity to comment, and please contact me at Lindsey_Kurnath@nps.gov or 570-729-8251 x2225 with any questions.

Sincerely,



Digitally signed by LINDSEY KURNATH
Date: 2025.01.10 16:10:41 -05'00'

Lindsey Kurnath
Superintendent
Upper Delaware Scenic & Recreational River

cc.
Kerry Englehardt, Upper Delaware Council
Heather Jacksy, Sullivan County
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