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**FIMFO'S DRAFT
ENVIRONMENTAL IMPACT
STATEMENT:**

HOW TO CRAFT A COMMENT LETTER

**TELL TOWN OF HIGHLANDS
WHAT YOU THINK**

BACKGROUND

Northgate/FIMFO resorts is an RV-focused resort chain, based in Michigan, that currently owns the existing, seasonally-operated Kittatinny Campgrounds and Canoes in Barryville, NY. The Kittatinny Campground is a traditional tent and RV campground that has been part of the community since the mid-twentieth century.

Northgate seeks site plan and special use permit approval from the Town of Highland Planning Board to completely change the campground model from one offering 271 tent sites, 45 back-in RV sites, and 13 standard model RV sites—to Northgate's amusement park composed of 37 traditional tent sites, 68 back-in RV sites, and 232 permanently placed RV, and treetop and glamping accommodations, aquatic center with 2 pools, water slides, and mini golf.

Northgate's proposal to convert to an RV camp with just a modest number of tent sites will cause significant environmental degradation. It wants to install six different types of permanent RV accommodations and other posh structures at the cost of eliminating almost 15 acres of trees; significant earth disturbance activities to expand water, sewage, and utility lines; aquatic pools and mini golf, asphalt road expansion, and more.

In my view, these proposed changes, taken singularly or as a whole, which are an environmental disruption of the approximate 235-acre long plot along the Delaware river, will produce a devastating change for the community and environment.

Small Park Model RV



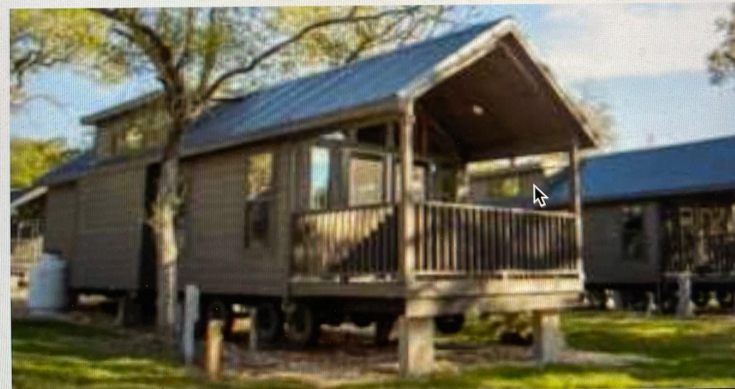
Rotated Small Park Model RV



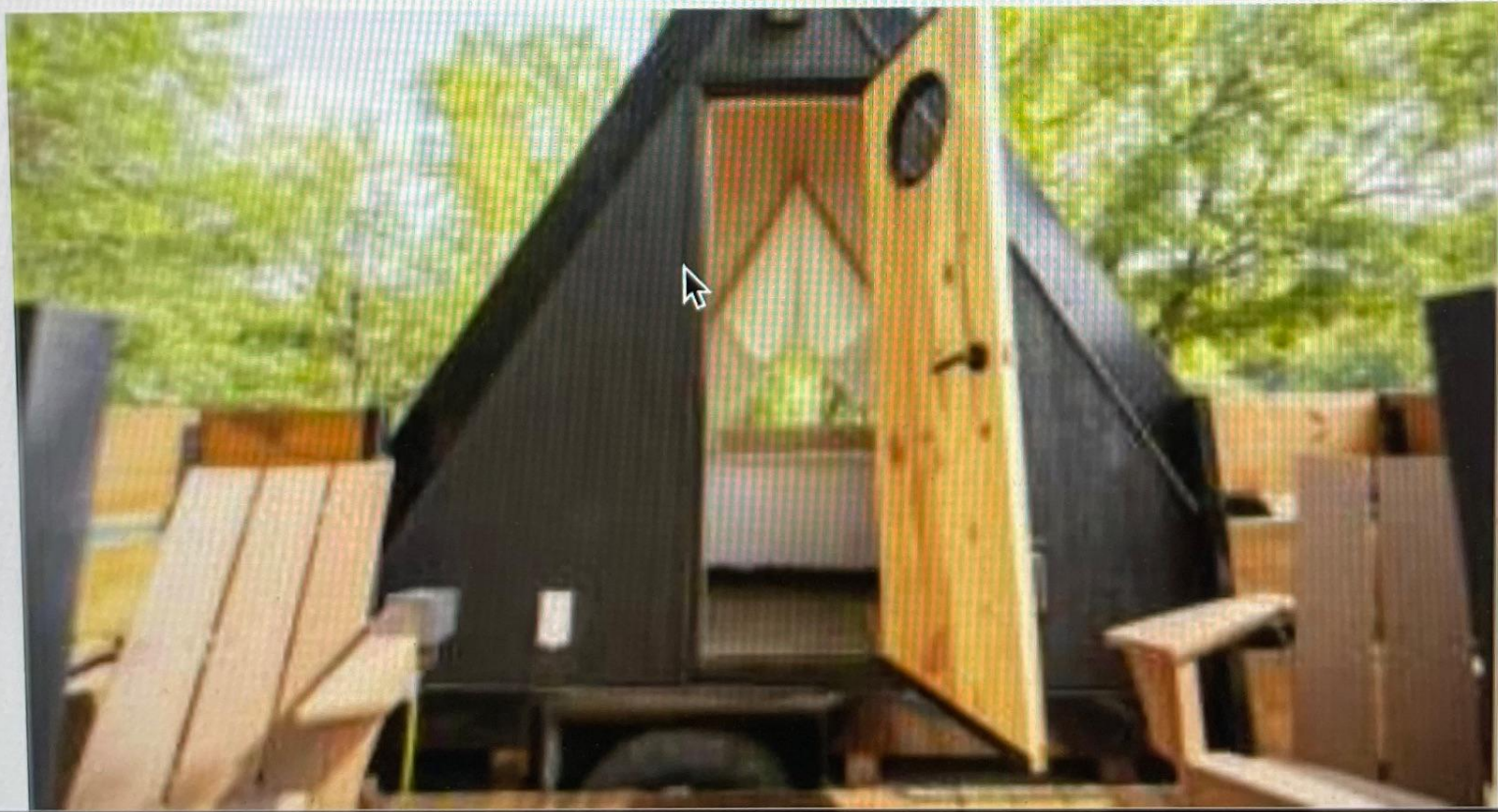
Standard Park Model RV



Medium Park Model RV



Bivvi Cabin RV



NYS environmental law's alphabet soup:

NYSDEC: NYS Department of Environmental Conservation

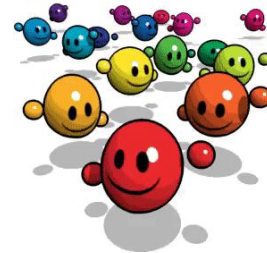
SEQRA: State Environmental Quality Review Act

EIS: Environmental Impact Statement

DEIS: Draft Environmental Impact Statement

FIMFO: Northgate's RV Camping Resort

YOU: Very important



HOW DID WE GET HERE? SEQRA!

NY Environmental Conservation Law created a process under the **State Environmental Quality Review Act (“SEQRA”)** that requires the governmental agency to evaluate the environmental impacts (and social and economic impacts) of a proposed project.

“**SEQR** requires all local, regional, and state government agencies to equally examine the environmental impacts along with the social and economic considerations for a certain project, or *action*, during their discretionary review. Agencies must follow the [multi-step SEQR Decision Process](#), which requires them to assess the environmental significance of all actions they have the power to approve, fund, or directly assume.”

-<https://dec.ny.gov/regulatory/permits-licenses/seqr>

HERE the Town of Highland Planning Board is the “lead agency” under SEQRA. It is in charge of examining the environmental impacts of and the social and economic considerations for the Northgate FIMFO RV resort.

Not all projects require an EIS. The PB asked Nortgate/FIMFO to prepare one in recognition that the proposed expansion of the campground will significantly impact the environment. The EIS is supposed to help the PB analyze the impact of the project including reasonable alternatives to the proposed action and to identify ways to avoid or reduce adverse impacts.

THE PUBLIC PARTICIPATES IN THE SEQRA PROCESS IN THREE IMPORTANT WAYS:

- [Scoping](#) the draft EIS
- Reviewing documents and [providing comments](#)
- [Public hearings](#)

SEQRA IS A 12-STEP REVIEW PROCESS

(<https://dec.ny.gov/regulatory/permits-licenses/seqr/stepping-through-process>)

We're at Step 9 & 10: public comment period and a public hearing. The hearing was held on Dec. 18, 2024, and comment period extended to March 11, which is why we're here today. Ideally the Town would hold another hearing.

Step 11: covers the final EIS. "The final EIS must consist of: the draft EIS, including any necessary revisions and supplements; copies or a summary of the substantive comments received and their sources; and the lead agency's response to the comments."

Step 12 is the final step, where the Planning Board does its own written SEQR findings statement.

**It'll either be positive or negative... A positive findings statement means that FIMFO is approvable after consideration of the final EIS, and demonstrates that it "is the one that avoids or minimizes adverse environmental impacts presented in the EIS and weighs and balances them with the social, economic and other essential considerations."

HALLOOO... DEC, WHERE ARE YOU?

NYSDEC does not enforce or review the SEQR process and can't provide formal legal opinions about the conduct of SEQR by other agencies.

The lead agent, Town of Highlands Planning Board, is independently responsible to follow the law. Whoever doesn't like the PB's final decision will have to sue it in NYS courts.

It has been said that NYS courts have a long history of ruling in favor of SEQR compliance and may cancel project approvals and require a new environmental review.

THE COMMENT LETTER

TIP: In the “Re” or subject line, make sure to link your concerns to the DEIS. Say that you’re writing about Northgate/FIMFO’s submitted DEIS.

NOTE: Letters submitted before the EIS comment period opened will not be considered in connection with the PB’s final consideration of the DEIS.

IT IS WRITTEN INTO THE RULES AND A PART OF THE DEMOCRATIC PROCESS

As we talk about problems with the DEIS, think about what resonates for you. If you have a special interest in one or more of the topics I’m going over, maybe that is what you write about. Relate it to your personal experience.

It’s important to have as many voices from the community as possible expressing legitimate concern about the DEIS. You don’t have to cover it all. And you aren’t limited to one letter. You can write more if you later decide there’s something else that bothers you. Just get it in by March 11!

REQUEST AN ADDITIONAL HEARING ON THE DEIS

First, as a procedural matter, we need another public hearing.

There's been only one on the DEIS. It was inconveniently scheduled on Dec. 18, 2024, right during the height of Christmas season.

Several comment letters afterwards expressed concern that the recording of the testimony was poor, and that the time allotted for public comment too short.

It appears that after the meeting, Northgate (through its consultant) has updated its DEIS. Given that the PB extended the comment period, it should also hold another hearing and allow the public to fully express itself.

Ask for another public hearing on the DEIS!!

What Others Are Saying About the DEIS...

NPS: Found that the project does not comply with the upper Delaware River Management Plan ([here](#))

Vegetation disturbance is planned but not specified.

The DEIS insufficiently addresses how it's planning to handle stormwater management in light of the significant vegetation disturbance. It plans to cut nearly 15 acres of trees!

The DEIS fails to disclose the adverse impacts this clearing will have on stormwater management. Stormwater management will be necessary at the site due to the proposed changes in slope, vegetative cover, impervious surfaces, and natural erodibility of the proposed Project site soils.

Loss of key habitat: DEIS also does not discuss the impact its planned disturbance will have on the natural world - the birds, insects, wildlife, native plants. Pollinator Pathways has submitted a letter discussing the impact this project will have on pollinators from the loss of key habitat, increased light and noise, storm runoff, and more. [PP Letter](#)

It also doesn't adequately explain how its expansion will affect the water quality of the stormwater that'll be washing over the new campsites, asphalt, and picking up pollution along the way.

Speaking about WATER: NPS says there's no hydrologic and hydraulic (H&H) modeling for this section of the river and floodplain!

H&H is a technique used in engineering to analyze how water moves through a watershed, including its volume and flow rate, by combining "hydrology" (the study of water quantity) with "hydraulics" (the study of water flow dynamics).

NPS says that H&H modeling is a prudent analysis that will inform all stages of the project and **erosion and sedimentation (E&S)** control plans within this flood prone area. Given the proximity to the river, the modeling will help ensure E&S control measures adequately prevent potentially significant impacts to the river resources during the project and into the future.

Without that modeling, how do we know that the E&S control measures are adequate?

Just because Northgate says it doesn't need it, doesn't make it so!

INADEQUATE FLOODING PREPAREDNESS - Risk of major damage to the Delaware River & Other Natural Resources

The DEIS in Appendix G states that the existing campground currently occupies the special flood hazard area also known as the 100 year floodplain.

What's in the 100-year floodplain?

FIMFO currently has parking, buildings, RV and tent sites, septic systems, wells, electric infrastructure and storage. The new welcome center building is located generally in the same location as the existing building.

It plans to widen existing roads, thus increasing the impermeable aspect of the area, and increasing damaging storm water and flood runoff.

It plans to add pools, slides and other structures. "A modernized aquatic area, including two chlorinated pools and slides and a filter building, will be constructed in the SFHA and a mini-golf area will adjoin this area."

No plan for clearing or containing this aquatic area in the event of flooding. The impact of the debris and chlorinated water needs to be detailed. What impact mitigation plan is in place?

CAN IT AVOID ANOTHER HANKINS NY DISASTER?

The high-water event evacuation plan is insufficient to adequately protect natural resources!

Getting structures out in time: The DEIS says in App G that Camp FIMFO operators will remove all infrastructure in the 100 year floodplain in advance of high water. The plan sets forth an allotted amount of time to remove Bivvi Cabin RV's and the larger RV's and tents. The plan is bad because it assumes no chaos and no extra time for accidents, or night time removals when sleeping guests are staying in those structures!

The uniform nature of the plan allows for no mistake, and is thus inherently doomed. Plus all of those structures will need to be moved at the same time, leading to a logjam on the route they have to drive to get the rv's to higher land. Moreover, I saw no plan in place for where to put the RV's and structures if there's a flood at the 500-year level! THE SUBMISSIONS ARE SO HARD TO READ AND COULD BE MADE SO MUCH CLEARER.

NPS reminds us about the flood of 2006: the operator of the Hankins NY Red Barn campground couldn't disconnect and remove all the infrastructure before the flood despite advanced warning. More than 20 trailers within the 100-year floodplain in Hankins washed downriver. Much is still there!

To ensure the protection of health, safety, and welfare of the residents and visitors and the protection and preservation of the natural resources of the river, we need to join the NPS to request a plan detailing how the applicant will disconnect utilities and remove the 146 park model RVs, as well as the materials for 64 on-site tents, when they get a warning and before a high-water event.

National Wild And Scenic River - Don't Destroy The Look!

Think about how bad it will look from the river! The opposite of Scenic and Wild!

The plan shows, in my view, a huge sprawling subdivision within a theme park right on the banks of the Delaware River. Out of character with the upper Delaware National Scenic River Corridor. **Yet as the NPS points out, the DEIS includes no renderings or visualizations of the proposed development viewed from the river and its banks showing the impact of the project on the recreational experience and visual landscape.**

This change in visual to a 'theme park look' isn't addressed except to say some trees will be planted to hide the view from Rt 97.

Yet FIMFO is planning 68 back-in RV Park sites, and 232 permanently placed RVs, and glamping accommodations. The RVs are cabin-like structures on wheels that in reality are permanent not mobile homes. They will be part of a huge sprawling subdivision within a theme park. It'll have an Aquatic Center with 2 pools, slides and mini golf.

It's a threat to the local charm of the historic Roebling Bridge!

Think about the impact of the increased traffic will have on that lovely, single lane bridge. Can it withstand the added traffic? Not to mention the traffic jams there, as it's an artery to Philly and points south. What about the beautiful winding Rte 97? The DEIS does not adequately address the impact its increased size will have on these scenic and historic sites.

What important impact or essential consideration does the DEIS not address?

It does not consider a “no-action” alternative, nor does it present alternatives to the project. In fact, it says that it will not consider alternatives like reducing the number of RV’s.

The Delaware Riverkeeper resource - check it out! They’ve been exposing problems with Northgate’s FIMFO RV resort project since the project was first announced, such as:

address the proximity of septic to water sources, or the location and type of above ground propane containers and piping snaking around the sites.

No accounting for day pass visitors or midweek stays or nonpeak stays, thus dramatically understating the volume of visitors and the impact such greater numbers will have on the environment.

It fails to disclose plans for golf carts, golf carts parking areas, and paths. And much more!

<https://delawariverkeeper.org/?s=fimfo>

Has there been an appropriate balancing of the benefits to harms?

No!!

It is not possible with so much not fully or adequately disclosed,
or not disclosed at all.

**Thus the harms caused by the impact of this project
have not been appropriately balanced by supposed benefits.**

How will the area benefit economically?

There is not enough disclosed about what FIMFO brings to the area vs what it takes.

DRkeeper's research shows that the proposed 89 FIMFO employee salaries will likely top out at under \$30,000. The DEIS conditionally promises to set aside free day passes for local residents **but only** if there's space. FIMFO will be expensive. It says that it will have fewer total so-called camp sites because it plans to charge more for each one. Will local residents be priced out and lose the access to their treasured natural resources?

The DEIS promises a cash payment of \$60,000 to the Town of Highland - possibly for a sewage project? And it's promised to make undisclosed donations to local charities and continue the traditional annual river cleanup.

On the flip side, Northgate is getting a \$1.5 million Mid-Hudson Regional Economic Development Council grant. It's requesting \$2.9 million in tax abatements and exemptions. (Per DRK research) This information about tax deals it's seeking are not disclosed. Why not? That's not giving back, that's taking.

Don't you want to know how much of its high end RV resort is being subsidized by our tax dollars?

**REMEMBER:
COMMENT LETTERS ARE PART OF THE DEMOCRATIC
PROCESS**

IT'S BUILT INTO THE LAW

GET INVOLVED; STAY INVOLVED

SUBMIT A COMMENT LETTER

Send Comments to:

Helene Hoffmann, Secretary

Town of Highland Planning Board

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