

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 3
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Department of
Environmental
Conservation

October 6, 2022

VIA EMAIL

Caren LoBrutto
Senior Planner
LaBella Associates
clobrutto@LaBellaPC.com

Re: CAMP FIMFO
Town of Highland, Sullivan County
DEC ID: 3-4834-00154/00002
SEQR Lead Agency Response

Dear LaBella Associates,

The Department of Environmental Conservation (DEC or Department) received your Permit Jurisdiction Inquiry July 14th, 2022. The proposal involves improvements to an existing, operational campground, including new pool and water play structures, a new mountain coaster, a new mini-golf facility, new sports courts, new outdoor fitness facilities, a new concession facility, new playground facilities, along with other associated site improvements. The project site is located at 3854 State Route 97 (Tax Parcels: 25.-1-4.1, 23.-1-6, 25.-1-5.1, 25.-1-5.2, 25.-1-9.2, 25.-1-9.1, 25.-1-15, 25.-1-4.4, 25.-1-4.3, 25.-1-4.2, 25.-1-8) in Highland. Based on our review of the submitted materials, including the EAF, project description, and associated site plans, we offer the following comments:

STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM (SPDES) WASTEWATER

A SPDES wastewater permit (3-4834-00154/00001, NY0281468) was issued to Sun NG Kittatinny RV Park Resort on July 1, 2021, which authorizes various subsurface wastewater discharges at this facility, totaling 5,900 gallons per day from 8 separate outfalls. The proposed project would increase the quantity of discharge at this facility to approximately 29,000 gallons per day, and thus a SPDES permit would be required for the proposed action. For more information and instructions on how to apply for this permit, please visit the DEC website at <http://www.dec.ny.gov/permits/6054.html>.

SPDES STORMWATER

If the overall project will disturb over one acre of land, the project sponsor must obtain coverage under the current SPDES General Permit for Stormwater Discharge from Construction Activity (GP-0-20-001), and a Stormwater Pollution Prevention Plan (SWPPP) must be developed which conforms to requirements of the General Permit. Authorization for coverage under this SPDES General Permit is not granted until the Department issues all other necessary DEC permits.



PROTECTION OF WATERS STREAM DISTURBANCE

The following stream is located within or near the site you indicated:

<u>Name</u>	<u>Class</u>	<u>DEC Water Index Number</u>	<u>Status</u>
Delaware River	A	D portion	Protected
Beaver Brook	B(T)	D-30 portion	Protected
Tributaries of Delaware River	B(T)	D-32 and trib.	Protected

A Protection of Waters permit is required to physically disturb the bed or banks (up to 50 feet from stream) of any streams identified above as "protected."

If a permit is not required, please note, however, you are still responsible for ensuring that work shall not pollute any stream or waterbody. Care shall be taken to stabilize any disturbed areas promptly after construction, and all necessary precautions shall be taken to prevent contamination of the stream or waterbody by silt, sediment, fuels, solvents, lubricants, or any other pollutant associated with the project.

FRESHWATER WETLANDS

Your project/site is not within a New York State-protected Freshwater Wetland. However, please contact your town officials and the United States Army Corps of Engineers in New York City, telephone (917) 790-8411, for any permitting they might require.

WATER QUALITY CERTIFICATION

If the US Army Corps of Engineers requires a permit pursuant to Section 404 of the Clean Water Act for the discharge to fill in Waters of the U.S., then a Section 401 Water Quality Certification (WQC) will be required. Issuance of these certifications is delegated in New York State to DEC. If the project qualifies for a Nationwide Permit, it may be eligible for coverage under a DEC Blanket WQC. Coverage under a Blanket requires compliance with all conditions for the corresponding Nationwide Permit. For more information and to view the DEC Blanket WQCs, please visit <https://www.dec.ny.gov/permits/6546.html>. A determination on Corps jurisdiction and Nationwide Permit eligibility is likely necessary for a DEC jurisdictional determination.

STATE-LISTED SPECIES

DEC has reviewed the State's Natural Heritage records. We have determined that the site is located within or near record(s) of the following state-listed species:

<u>Name</u>	<u>Status</u>
Bald Eagle (<i>Haliaeetus leucocephalus</i>)	Threatened

A permit is required for the incidental taking of any species listed as "endangered" or "threatened", which can include removal of habitat. As previously discussed in communication between DEC Wildlife staff and LaBella, the project site overlaps a bald eagle wintering area along the Delaware River and is within 0.4 mile of a documented bald eagle nest in Pennsylvania. Additional information is needed for a determination on the likelihood of adverse impacts to bald eagles from the proposed project. Please provide information, to the NYSDEC Bureau of Wildlife, on the proposed timing and location of blasting and any other extremely loud activities, details of project activities that are

proposed to take place within 660' of the river between December 1 and March 31 of any year, and details of proposed tree removal for the project. To maintain bald eagle habitat in the area, DEC recommends that no tree removal occur within 200ft of the shoreline, no white pines be removed within 300ft of the shoreline, and no white pines larger than 25 inches be removed at any location within the project site.

The absence of data does not necessarily mean that other rare or state-listed species, natural communities or significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

FEMA FLOODPLAIN

The project site is located within a Federal Emergency Management Agency (FEMA) floodplain. The project sponsor should contact the Town of Highland to determine if any additional jurisdictions are applicable to the proposal.

WATER WITHDRAWAL

Please note that a water withdrawal permit is required to extend supply or distribution mains of a public water supply system into any new water service area or extension thereof such that the water withdrawal system remains or becomes one with a capacity equal to or greater than the threshold volume (100,000 gallons per day based on capacity of installed pumps, not demand). The EAF states that the capacity for this project is 43,200 gallons per day, therefore, a WW permit would not be required. For more information, please visit the DEC website at <https://www.dec.ny.gov/lands/55509.html>. For any technical questions regarding water withdrawal, please contact the DEC Division of Water at (914) 428-2505 or dow.r3@dec.ny.gov. If any changes to the withdrawal capacity are proposed such that the quantity would approach or exceed 100,000 gallons per day, please contact the Department for a revised determination.

CULTURAL RESOURCES

We have reviewed the statewide inventory of archaeological resources maintained by the New York State Museum and the New York State Office of Parks, Recreation, and Historic Preservation. These records indicate that the project is located within an area considered to be sensitive with regard to archaeological resources.

For more information, please visit the New York State Office of Historic Preservation website at <http://www.nysparks.com/shpo/>.

OTHER

Other permits from this Department or other agencies may be required for projects conducted on this property now or in the future. Also, regulations applicable to the location subject to this determination occasionally are revised and you should, therefore, verify the need for permits if your project is delayed or postponed. This determination regarding the need for permits will remain effective for a maximum of one year unless you are otherwise notified. More information about DEC permits may be found at our website,

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www.dec.ny.gov, under "Regulatory" then "Permits and Licenses." Application forms may be downloaded at <http://www.dec.ny.gov/permits/6081.html>.

Please feel free to contact this office if you have questions regarding the above information. Thank you.

Sincerely,

Glennys A.
Romero
Medina

Digitally signed by
Glennys A. Romero
Medina
Date: 2022.10.06
14:29:50 -04'00'

Glennys Romero Medina
Division of Environmental Permits
Region 3, Telephone No. (845)256-2250
Glennys.RomeroMedina@dec.ny.gov

ecc: Susan Booth-Binczik, NYSDEC Bureau of Wildlife
DEC Division of Water
Town of Highland
Sun NG Kittatinny RV LLC, Applicant



GTS Consulting

1396 White Bridge Road
Chittenango, NY 13037
Tel: (315) 391-5110

Memorandum

Date: October 25, 2022

To: Mr. Kenneth Ellsworth – Keystone Associates

**Re: Camp Fimfo Catskills – Environmental Assessment Form Part 1 Report
Traffic & Parking Review Comments
Town of Highland, NY**

I have reviewed the Environmental Assessment Form Part 1 Report (Revised October 2022) regarding the Camp Fimfo Catskills development, completed by LaBella. Specifically, my review focused on the traffic and parking associated with the development.

Traffic Generation

In general, I am in agreement with the overall conclusion that the proposed modifications will not result in any significant change in anticipated traffic generated by the site. The following points are noted:

- The site has been in operation since 1941 as a campground. It is not clear how long the river trips have been operating out of the site, however it is assumed that this operation has been occurring for a number of years as well. The overall use of the site is not changing.
- The number of campsites is being reduced from 342 sites to 335 sites. The overall occupancy capacity is being reduced from 2,838 people to 2,346 people. Reductions in both number of sites and capacity will reduce the overall traffic generation of the campground.
- Added amenities include the aquatic play area and the mini golf area, both of which will only be open to camper staying at the site. These uses will not be independent traffic generators.
- There is no indication that there is any change to the river trip operations.

Parking

The parking discussion is somewhat confusing. While the information on how reservations and river trip visitors were broken down based on assumed number of vehicles and vehicle occupancy is generally reasonable, it is not clear why 302 parking spaces are being provided on the east side if the peak season parking demand is only projected to be 83 vehicles?

1. How many total parking spaces are available today? It appears that the only existing parking for the river trips is approximately 55 existing spaces on the west side at the welcome center.
2. Are there existing parking deficiencies that are being addressed with the apparent significant increase in overall parking between the east and west sides? Is there some other parking demand expected?

Please let me know if you have any questions or additional concerns.

Prepared by - Gordon Stansbury – GTS Consulting

Camp Fimfo – Catskill – Tracking Document

Action	Agency	Notes
3/14/2022 Applicant Submission to Planning Board	Planning Board	Site Plan and Special Permit Application; Concept Plan; FEAF Part 1 and Report, Existing Conditions Plan, Project Description
3/23/2022 Planning Board Meeting	Planning Board	Planning Board declared Intent to be Lead Agency
4/21/2022 Planning Board SEQRA Lead Agency Notice of Intent for 30 Day Circulation	Planning Board	30 day Notice Period
5/16/2022 Applicant Submission to Planning Board	Planning Board	Site Plan Set; Existing Conditions Sheets V101 - V115; Response to Comments; Cover Letter Submission not provided to Town Engineer
5/21/2022 Planning Board SEQRA Lead Agency Notice of Intent for 30 Day Circulation	Planning Board	End of 30 day Notice Period
5/25/2022 Planning Board Meeting	Planning Board	Meeting attended
6/13/2022 Applicant Submission to Planning Board	Planning Board	Site Plan Set; Existing Conditions Sheets V101 - V115; Cover Letter Submittal not accepted
6/22/2022 Planning Board Meeting	Planning Board	Not attended because Application was not on agenda
7/10/2022 Planning Board Submission Note submittal date specified by Town as 7/10/2022	Planning Board	Site Plan Set; Existing Conditions Sheets V101 - V115; Revised FEAF, SWPPP; Cover Letter
7/27/2022 Planning Board Meeting	Planning Board	Application referred to UDC and County for 239m Referral
8/24/2022 Planning Board Meeting	Planning Board	Respectfully request that a public hearing be scheduled for the September meeting on 9/27/2022
9/27/2022 Planning Board Meeting – Public Hearing opened and adjourned to next meeting 10/26/2022	Planning Board	Respectfully request that the public hearing be closed at the end of the hearing on 10/26/2022.

October 12, 2022

Chair Norman Sutherland
Town of Highland Planning Board
4 Proctor Road
Eldred, NY 12732

*RE: Northgate / Sun Communities
Camp FIMFO Catskills
Job # 2220488*

Dear Chair Sutherland:

We last appeared before the Planning Board at the September 28, 2022 Public Hearing for the Camp Fimfo Modernization and Improvement Project. The Application requires site plan and special permit approval. During the meeting, several public comments were made and we will respond to these in writing once the public hearing closes.

Since the Public Hearing, the project has been revised in response to comments received from the Board and the public. In particular, the Applicant has decided to remove the Mountain Coaster from the proposed project. The following provides a list of all of the modifications:

Updated Plan Set

- Removal of Mountain Coaster
- Modified mini golf layout in same location
- Relocated mechanical building in Aquatic Center area
- Updated limit of disturbance, now 41.2 acres (previously 43.7 acres)
- Shifted forcemain for Outfalls #22 and #23 on Sheet C307 to account for modified mini golf layout
- Added Sheet E601 Electrical Details and Tables
- Added Sheet E602 Electrical Panel Schedules
- Updated planting plans (to account for removal of Mountain Coaster)

Updated Full Environmental Assessment Form (FEAF)

- Construction - The Applicant's contractor has assessed the required site work for the project and determined that blasting will not be used on site to remove rock. Instead, rock removal will utilize a combination of trenching machines (trenching/grinding), excavators (ripping), and hydraulic hammering. All construction equipment on site will meet OSHA standards for maximum sound and will utilize sound reducing equipment, such as mufflers and retractors.



- Traffic - Updated to remove vehicular trips related to the Mountain Coaster.
- Barnes Landfill - Updated to describe the Barnes Landfill, which is located within 2,000 FT of the project site but does not adjoin the site.
- Information from the New York State Department of Environmental Conservation (NYSDEC) on NYSDEC regulated species and other natural resources potentially affected by the proposed project.
- Information from the New York State Office of Parks, Recreation, and Historic Preservation (NYSOPRHP) consultation – No Effect Finding.
- Consistency with Comprehensive Plan – an assessment of the project according to Plan goals is included.

We look forward to discussing the project further at the upcoming Public Hearing. Please find enclosed 11 copies of the plan set, Full Environmental Assessment Form and Report, and tracking document.

Respectfully submitted,

LaBella Associates

Caren LoBrutto
Senior Planner