



# United States Department of the Interior



NATIONAL PARK SERVICE  
Interior Region 1  
North Atlantic-Appalachian  
1234 Market Street, 20<sup>th</sup> Floor  
Philadelphia, PA 19107

IN REPLY REFER TO:

UPDE 2022-09  
Town of Highland  
Substantial Conformance Review for Camp FIMFO Special Use Permit, Town of Highland, Sullivan County, NY

July 17, 2023

Aaron Robinson, Chair  
Upper Delaware Council  
211 Bridge Street  
Narrowsburg, NY 12764

Re: Camp FIMFO Special Use Permit Substantial Conformance Determination

Dear Chairman Robinson,

Thank you for your transmittal of September 2, 2022, recommending the Town of Highland's Special Use Permit for Camp FIMFO be found in substantial conformance with the Secretary's Land and Water Use Guidelines (Guidelines) by the National Park Service Interior Region 1 Regional Director.

The National Park Service (NPS) has completed its evaluation of the Camp FIMFO proposal. Our final determination is that the current proposal does not conform to the guidelines.

As defined in the Secretary's guidelines, "substantial conformance" includes conformance with both the schedule of land uses and the 1986 River Management Plan (RMP), as well as with each of the principles and objectives set out in the guidelines. The NPS' review finds the proposal is technically consistent with the Schedule of Uses contained in the guidelines, however the proposal falls short of meeting 3 of 22 objectives. In addition, the increased intensity of use resulting from this proposal fails to meet the intent of the guidelines and the RMP.

The proposal seeks to renovate an existing tent campground with a variety of upgrades and amenities, including 146 park-model recreational vehicles (RVs) that will be occupied no more than 180 days per year. Although capable of being towed, the RVs will remain on the landscape as permanent structures when unoccupied. NPS finds the most appropriate use definition from the guidelines to be "Recreational Vehicle Parks Intended for Non-Transient Use" because these RVs are "permitted to remain permanently or semi-permanently affixed to an individual site for extensive periods of time whether used or not." The guidelines do not further define compatible or incompatible applications of this use. NPS determines RV Parks Intended for Non-Transient Use falls within the Intensive Use Recreational Facility category, which is only appropriate in Recreational Segments with a Special Use approval and is a compatible use in Hamlets.

The proposal fails to meet three objectives (Principle C, Objective 2a and Principle F, Objectives 1 and 2).

As stated in the Secretary's Land and Water Use Guidelines (emphasis added):

*Principle C: Provide for recreational and other public uses while protecting the Upper Delaware as a natural resource.*

*Objective 2: Local, State and Federal agencies should adopt standards regarding development, operation and maintenance of recreational facilities to limit adverse impacts on adjacent landowners and the surrounding environment.*

*(a) Campgrounds and Recreational Vehicle Parks*

- A. Gross density should not exceed 8 sites per acre for recreational vehicle type camping or 10 sites per acre for tent type camping.*
- B. A minimum of 10 acres of land should be required to establish any recreational vehicle campground. A minimum of 5 acres should be required for tent campgrounds unless subjected to site plan review.*
- C. Permanent or long-term occupancy of any campsite and **permanent structures or appurtenances on any individual campsite other than tent platforms and concrete pads are strictly prohibited.***
- D. **Independent onsite sewage disposal or water supply systems should not be permitted for individual recreational vehicle campsites.***

Although the proposal meets elements A and B, it fails elements C and D. The applicant will operate the park-model RVs less than 180 days per year; however, the RVs will remain in place when unoccupied, thus they are permanent structures. NPS understands the RVs are certified for road travel and could be disconnected quickly, however the proposal creates 146 permanent structures, which fails Objective 2aC. Each of the 146 individual park-model RV campsites and 58 individual drive-in RV sites will have independent lines for sewage and water, which fails Objective 2aD.

As stated in the Secretary's Land and Water Use Guidelines:

*Principle F: Maintain existing patterns of land use and ownership*

*Objective 1: Limit housing density and intensity of uses with consideration to the existing character of the River corridor.*

*Objective 2: Reinforce existing patterns of land use and private ownership by providing for similar allowed uses.*

The guidelines and the RMP do not provide a definition of land use or intensity of use. NPS interprets land use as how humans develop land for various purposes, including agriculture, residential use, and recreation, and land use intensity as the measure of the extent of human development on a given parcel.

Under Principle C, Objective 1, the guidelines provide the following measure to limit Intensive Use Recreational Facilities within Scenic Segments. The statement demonstrates the intent of the guidelines to interpret RV campgrounds as a more intensive use in comparison to tent campgrounds.

*“Zoning districts which limit new recreational uses to low intensity activities (i.e., tent campgrounds vs. recreational vehicle parks)”*

In comparison to a seasonal tent campground, the proposal significantly develops the site. The applicant will change the land use intensity at nearly every campsite by placing permanent concrete pads and parking spaces, installing permanent structures in the form of park-model RVs, and connecting independent sewer and water lines. Potential impacts from the more intensive use may include negative changes to the character of the river valley and cumulative negative effects to the air and water quality, ecosystem function, and wildlife habitat. The proposed changes in the intensity of use of the campground,

which do not maintain the existing character of the corridor or reinforce the existing land use pattern of the site, result in a failure of Objectives 1 and 2.

In addition to the guidelines, the 1986 River Management Plan also provides guidance for determining the impact of significant projects. Applicable goals from the RMP (pages 13-14) include:

5. *Provide for planned growth, consistent with local ordinances, to ensure optimum use of existing public services, while maintaining and conserving the essential character of the river valley*
8. *Provide for the continued public use and enjoyment of a full range of recreational activities, as is compatible with the other goals*

Also noted in the RMP (page 91) is an intent of the Water Use Program:

*“...to provide facilities which meet basic needs and which are, for the most part, informal, relatively small, and in keeping with the natural, scenic, and rural character of the area. It is not the intent to provide large, highly developed recreational support facilities.”*

NPS finds the proposal does not maintain or conserve the essential character of the corridor, as it violates the intent of temporary or transient use by permanently installing RVs and utility infrastructure on the landscape. NPS acknowledges the park-model RVs may offer a new subcategory of camping experience, however that new use is incompatible with maintaining the “natural, scenic, and rural character” of the corridor given the size, scale, and intensity of the proposed renovation.

For the above reasons, NPS finds the project as currently proposed not to be in substantial conformance. We make this determination without prejudging any possible future submissions presenting a revised proposal for consideration.

We acknowledge this project review has revealed opportunities to clarify and refine how UDC and NPS evaluate projects, as well as how towns and townships interact with the UDC. NPS thanks the UDC for its willingness and cooperation to discuss our operating procedures to ensure our partnership remains strong. We endeavor to avoid similar challenges in the future through open dialogue and collaboration.

If the Town of Highland chooses to submit an updated application, we look forward to working with the UDC and all parties in the interest of protecting the outstanding natural, cultural, and recreational resources that make the Upper Delaware River corridor an exceptional place to live and to visit, and an economic engine for local communities.

If you have any questions, please contact Lindsey Kurnath, Superintendent, Upper Delaware Scenic and Recreational River, at [Lindsey\\_Kurnath@nps.gov](mailto:Lindsey_Kurnath@nps.gov) or (570) 729-8251 x 2225.

Sincerely,



Gay Vietzke  
Regional Director