

# MISCELLANEOUS NOTICES/HEARINGS

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## **Notice of Abandoned Property Received by the State Comptroller**

Pursuant to provisions of the Abandoned Property Law and related laws, the Office of the State Comptroller receives unclaimed monies and other property deemed abandoned. A list of the names and last known addresses of the entitled owners of this abandoned property is maintained by the office in accordance with Section 1401 of the Abandoned Property Law. Interested parties may inquire if they appear on the Abandoned Property Listing by contacting the Office of Unclaimed Funds, Monday through Friday from 7:00 a.m. to 5:00 p.m., at:

1-800-221-9311 (In New York State)  
(518) 270-2200 (Outside New York State)

or visit our web site at:  
[www.osc.state.ny.us](http://www.osc.state.ny.us)

Claims for abandoned property must be filed with the New York State Comptroller's Office of Unclaimed Funds as provided in Section 1406 of the Abandoned Property Law. For further information contact: Office of the State Comptroller, Office of Unclaimed Funds, 110 State St., Albany, NY 12236

## **PUBLIC NOTICE**

**Environmental Facilities Corporation  
Final Notice of Description of Eligible Project Categories  
Financial Assistance to Business Air Program**

**Environmental Farm Assistance & Resource  
Management Program (EFARM)**

### **I. BACKGROUND, SCOPE AND APPLICABILITY**

The New York State Environmental Facilities Corporation (EFC) proposes, as part of the New York State Financial Assistance to Business (FAB) Program, a new program designed to assist the farming community with environmental regulation compliance. The FAB Program was created by the Clean Water/Clean Air Bond Act of 1996, and implementing regulations (21 N.Y.C.R.R. Part 2606). This proposed program is called the Environmental Farm Assistance & Resource Management Program (EFARM). EFARM would provide financial and technical assistance to farming businesses across New York State (NYS) for the improvement of environmental management practices, including pollution abatement and odor control through improved nutrient management.

Certain farmers across NYS are required to develop and implement plans to properly manage liquid/solid waste and help control odor emissions as a part of the permitting process required by the NYS

Department of Environmental Conservation (DEC). These plans, called Comprehensive Nutrient Management Plans (CNMPs), are the foundation for DEC's environmental regulatory program to control potential water pollution from farms. Certain farms have experienced difficulty with the planning and permit process due to lack of funding and the need for technical assistance regarding permit compliance.

A comprehensive process has been established to prepare and certify planners to develop CNMPs, as required for operating under authority of the DEC General State Pollutant Discharge Elimination System (SPDES) Permit No. GP-04-02 or GP-99-01 as a Concentrated Animal Feeding Operation (CAFO). This process was developed by a partnership of government agencies and private businesses brought together by the NYS Agricultural Environmental Management (AEM) initiative to ensure that certified planners from both the public and private sectors will be available to meet the demand for CNMP development and implementation. The partnership includes: USDA-Natural Resources Conservation Service (NRCS), Cornell Cooperative Extension, NYS Soil & Water Conservation Districts, NYS Soil & Water Conservation Committee, NYS Department of Agriculture and Markets (NYS DAM), Certified Crop Advisors, agricultural consultants and farmers.

CNMPs are prepared in accordance with the NRCS – Conservation Practice Standard – Waste Management System Code NY312 and specifications to properly manage pollution emissions produced by CAFOs, including runoff from concentrated sources such as barnyards, silos, and milking centers and their associated odors. Planners and owners/operators will work together to develop the CNMPs, which will ensure that the farmer-planner relationship continues into the future to keep the CNMPs current.

EFARM proposes to focus on CAFOs that are required to develop and implement their CNMPs, particularly those experiencing problems completing the CNMPs. Under regulation, farms which are mandated to obtain a CAFO Permit were required to have their CNMPs developed and certified by June 30, 2004. There are approximately 637 CAFOs across NYS. Approximately twenty percent (20%) have not completed their planning process. Many certified planners have not been paid by the farms, and many plans have not been completed due to lack of funding. CAFO owners and operators with approved plans are also required to update and recertify their CNMPs annually, adding an additional burden on farmers to stay in compliance with their permit.

EFARM proposes to provide financial assistance for the development and update of farms' CNMPs. EFARM will work closely with the partnership agencies and groups listed above to help farmers finance implementation of their CNMPs by identifying additional resources and funding agencies, and providing outreach to eligible farmers on the permitting process for CAFOs.

## II. PURPOSE OF THIS NOTICE

As required by Part 2606, this notice describes eligibility requirements for EFARM, the amount of funding available, the time period during which EFC will accept applications for funding, and certain other eligibility criteria.

## III. DEFINITIONS

Unless defined herein, terms used in this notice shall have the meanings set forth in Section 56-0101 of the Environmental Conservation Law, or 21 N.Y.C.R.R. Part 2606, or in DEC General SPDES Permit No. GP-04-02 or GP-99-01.

## IV. DESCRIPTION OF ELIGIBLE PROJECTS

EFARM is intended to help owners of eligible CAFOs comply with state regulations (6 N.Y.C.R.R. Part 750) which will facilitate reduced environmental discharges from these facilities. Under EFARM, EFC will provide financial assistance for the completion of and annual updates to CNMPs as required by Part 750.

EFARM only applies to CAFO facilities, as defined by DEC General SPDES Permit No. GP-04-02 or GP-99-01, in compliance with Part 750. EFARM will reimburse CNMP costs incurred after July 1, 1999, provided such costs are documented. Funding for annual updates applies to those updates made after July 1, 2004 for the new 5 year permit period.

## V. FUNDING PROPOSAL

In order to assist the farming community, it is proposed that this program be administered by EFC, using and expanding established programs already designed to assist small businesses cope with environmental regulatory requirements through financial and technical assistance. EFARM will use funding sources administered under the FAB Air Program to assist in CNMP development and implementation.

EFARM will provide funding to farmers to help pay for the costs of CNMPs for planning the implementation of management practices that will address air pollution problems associated with nutrient management. State assistance payments in an amount up to 90% of CNMP expenses, not to exceed \$8,000, will be provided to farmers for the development of approved CNMPs. The farms will contribute at least 10% matching funds under this reimbursement program. Farms that have completed and paid for CNMPs will be eligible for funding, provided the costs are documented and incurred after July 1, 1999. Annual recertification expenses will also be eligible for reimbursement grants of up to 90%, not exceeding \$2,000 annually, for the 2005 through 2009 cropping seasons. A cropping season is the period of time within which crops are normally grown and designated by the calendar year in which the crops are normally harvested. For purposes of the EFARM Program, the cropping season will be the equivalent of a calendar year.

## VI. AMOUNT OF FUNDING

EFC will make state assistance payments in the following amounts for the completion of a CNMP and for annual updates to a CNMP as required by GP-04-02 or GP-99-01.

(1) Ninety percent (90%), up to a maximum amount of eight thousand dollars (\$8,000), reimbursement for the completion of an approved CNMP, and;

(2) Ninety percent (90%), up to a maximum amount of two thousand dollars (\$2,000), reimbursement for the annual CNMP update for a maximum of five years (2005-2009 cropping seasons).

CNMP grant funding from other governmental agencies will be used to calculate award amounts. In no instance will funding be greater than 90 percent, up to \$8,000, of those costs not covered by other governmental funding for CNMP development, and 90 percent, up to \$2,000, of those costs not covered by other governmental funding for CNMP annual updates.

This program will be limited to \$13 Million in total funding, approximately 50% for plan initiation and 50% for annual updates,

distributed on a first-come, first-served basis.

## VII. APPLICATION SCHEDULE

EFC will accept requests for state assistance applications under the EFARM Program beginning January 3, 2005 through March 30, 2010.

Under EFARM, EFC's administrative responsibilities will be to announce funding availability for CNMP costs; establish an open application period on a first-come, first-served basis; make funding commitments based on a completed application as determined by EFC; and enter into a Funding Agreement directly with the farmer by June 30, 2006. The funding agreement would include the authorization to pay for annual updates to the CNMP through March 30, 2010. It is proposed that the EFARM contract will terminate June 30, 2010.

Application requirements for an EFARM grant for CNMP development and/or annual CNMP updates shall, at a minimum, as required by FAB guidelines, include the following:

- Completed Application
- Funding Agreement with EFC for CNMP cost reimbursement
- Disbursement request and cost documentation, including a description of all funding sources for CNMP expenses
- Municipal approval documents
- Additional information and documentation described in the application package.

FAB programs are based on reimbursement of costs paid, thus requiring participants to pay for CNMPs costs up front.

## VIII. FUNDING SCHEDULE

To the extent monies are available, EFC will provide state assistance for CNMP development and annual CNMP update on a first-come, first-served basis starting on January 3, 2005.

## IX. ADDITIONAL REQUIREMENTS

### (1) Program Duration

Subject to the availability of funds and the other eligibility criteria set forth in this notice, the owner of a CAFO will be eligible for state assistance if the owner has completed his CNMP after July 1, 1999, and before June 30, 2006 and/or dates established in DEC's General SPDES Permit GP-04-02 or GP-99-01.

### (2) Application Deadline

Requests for state assistance under EFARM will be accepted on a rolling basis until March 31, 2010. We strongly encourage applicants to file their application with EFC by June 30, 2006, in order to meet DEC's regulatory deadline for CNMP compliance and to assure funding availability. Final documents for update funding must be received by March 31, 2010. The required "Request for State Assistance" form may be obtained by contacting EFC at the address specified under Section X of this notice, or by downloading it from EFC's website at [www.nysefc.org](http://www.nysefc.org), and clicking on "EFARM".

### (3) Application Procedure

The procedures for administering EFARM, including the submission, review and approval of requests for state assistance will be governed by 21N.Y.C.R.R. Part 2606.

### (4) Compliance Reporting

As part of the request for state assistance process, EFC will verify with DEC that a permit covering the facility and any subsequent compliance inspection reports or extensions/updates to the permit are current and accurate.

### (5) Proof of CNMP Approval

Eligible CAFOs must maintain compliance with their DEC permit and make significant progress towards CNMP implementation as required by DEC. CNMP approval will be verified from DEC records and additional information may be requested in the application package.

### (6) Municipal Approval

Requests for State Assistance applications must have a signed municipal approval form attached, provided in the application package.

It is the responsibility of the applicant to obtain municipal approval.

**(7) Federal Tax Notification**

Requests for State Assistance applications must include a signed Federal form W-9 (Request for Taxpayer Identification Number and Certification); provided in the application package.

**(8) Signatures**

All application documents requiring the applicant's signature must contain an "original" signature. Photocopy signatures will not be accepted. Certain signatures must be notarized as indicated in the application package.

**X. INFORMATION AVAILABILITY**

Application materials for EFARM will be available beginning January 3, 2005 through March 30, 2010. Any person seeking additional information or application material regarding this program should contact EFC at:

New York State Environmental Facilities Corporation  
 Financial Assistance to Business Program  
 Attention: EFARM Project Manager  
 625 Broadway  
 Albany, New York 12207-2997  
 Telephone (800) 200-2200  
 Fax (518) 486-9248  
 or  
[www.nysefc.org](http://www.nysefc.org) and click on "EFARM"  
 Email: [EFARM@nysefc.org](mailto:EFARM@nysefc.org)

**PUBLIC NOTICE**

Department of Health  
 Hope for a Healthier Humanity

Funds continue to be utilized to support the health, education and training activities conducted with healthcare providers and healthcare leaders of Latin American communities. Particular emphasis will be placed on prevention of communicable diseases, including tuberculosis. The Dominican Republic, Haiti and other countries in Central America will be targeted, as they are the origins of the majority of Latin American migrants who travel to, work and live in New York City. Under Section 2807-c(19) of the Public Health Law, the Commissioner of Health has the authority to award non-competitive grants.

*Contact person:* Dr. John Grabau, Department of Health, Bureau of TB Control, Empire State Plaza, Corning Tower, 8th Fl., Albany, NY 12237, (518) 474-4845

**PUBLIC NOTICE**

Department of Health  
 Westchester Institute for Human Development, Inc. "WIHD"

WIHD is a newly formed NYS not-for-profit corporation that will function as a free-standing diagnostic and treatment center. The mission of WIHD is to enhance the quality of life of individuals with, or at risk for, disabilities and their families. It will help to combat the high rates of cardiac conditions, poor oral health, obesity, smoking and mental disorders that occur more often in individuals with developmental disabilities than in the total population. The purpose of this grant will be to defray the costs associated with the professional and clinical supervision and provision of services to WIHD's clients. As a newly established Article 28 corporation, working capital is needed to fund

the administrative/professional costs of providing these services. Under Section 2807-c(19) of the Public Health Law, the Commissioner of Health has the authority to award non-competitive grants.

*Contact person:* Muriel Dempsey, Director, Grants Clearinghouse, Department of Health, 433 River St., Troy, NY 12180, (518) 402-1068

**PUBLIC NOTICE**

Department of State  
 Routine Program Change Notice

Pursuant to 15 CFR 923.84(b), the New York State Department of State (DOS) has submitted a routine program change to the federal Office of Ocean and Coastal Resource Management (OCRM). The DOS considers this action to be routine and requests OCRM's concurrence in this determination. The change to the New York State Coastal Management Program (CMP) covered by this request is the incorporation of the Village of Ocean Beach Local Waterfront Revitalization Program into the State's CMP.

A major component of the State's CMP is the provision that local governments be allowed to prepare local waterfront revitalization programs which further detail and make geographically specific the State's coastal policies. Each local program will be reviewed for consistency with the State's CMP and approved if it meets the guidelines established in the State CMP and Article 42 of the NYS Executive Law.

The Ocean Beach Local Waterfront Revitalization Program will serve as a long term management program for the Village's Atlantic Ocean waterfront resources. Major issues being addressed in the Local Waterfront Revitalization Program include better management of flooding and erosion hazards and preservation of community character.

Copies of the Local Waterfront Revitalization Program are available for review in Albany at the DOS offices, 41 State Street; and at the offices of the Village of Ocean Beach, PO Box 457, Ocean Beach, NY, 11770.

Any comments on whether or not the action does or does not constitute a routine program change should be submitted by February 2, 2005 to: Helen Bass, Office of Ocean and Coastal Resource Management, Coastal Programs Division, N/ORM3, SSMC4, 11th Floor, 1305 East-West Highway, Silver Spring, MD 20910.

*Further information on this action may be obtained from:* Kevin Millington, Division of Coastal Resources, Department of State, 41 State St., Albany, NY 12231

**PUBLIC NOTICE**

Uniform Code Regional Boards of Review

Pursuant to 19 NYCRR 1205, the petitions below have been received by the Department of State for action by the Uniform Code Regional Boards of Review. Unless otherwise indicated, they involve requests for relief from provisions of the New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual notices of any subsequent proceeding may contact Roy Scott, Codes Division, Department of State, 41 State Street, Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2004-0752 Matter of Greater Buffalo Gymnastics Center, c/o Torey Hirsch, 1641 North French Road, Getzville, NY 14068 for a variance concerning the requirements for building area and sprinkler systems.

Involved is an addition to an existing to a one-story building of non-combustible construction for assembly occupancy with approxi-

mate gross floor area of 18,000 square feet, located at 1641 North French Road, Town of Amherst, County of Erie, State of New York.

2004-0767 Matter of HTI Properties, 171 Jerusalem Hill Road, Elmira, NY 14901 for a variance concerning safety requirements, including a required sprinkler system in a building, located at 171 Jerusalem Hill Road, Town of Elmira, County of Chemung, State of New York.

2004-0778 Matter of Raquette Lake Camps Inc., c/o Edward Lapidus, Nine Hopes Farms Lane, Bedford, NY 10506 for a variance concerning the installation of a sprinkler system in accordance with the New York State Uniform Fire Prevention and Building Code.

Involved is the construction of a bunkhouse, located at 15 Antlers Road, Town of Long Lake, County of Hamilton, State of New York.

2004-0779 Matter of French Road Commons, L.P., d/b/a Bell Tower Senior Apartments, 42 Haley Lane, Cheektowaga, NY 14227, for a variance concerning fire-safety requirements, including exit stair width.

Involved is the installation of inclined stairway chairlifts, at the Bell Tower Senior Apartments, 42 Haley Lane, Cheektowaga, Town of Cheektowaga, County of Erie, State of New York.

### SALE OF FOREST PRODUCTS

#### NOTICE OF SALE

Chenango Reforestation Area Nos. 4 and 7

Contract No. X005450

Pursuant to section 9-0505 of the Environmental Conservation Law, the Department of Environmental Conservation hereby gives public notice of the following:

Sealed bids for for 2,196 tons more or less of red pine, 296 tons more or less of scotch pine, 0.9 MBF more or less of Japanese larch, 0.7 MBF more or less of red maple, 0.4 MBF more or less of black cherry, 0.1 MBF more or less of sugar maple, 0.1 MBF more or less of white ash and 19 cords more or less of firewood located Chenango Reforestation Area No. 4, Stand(s) A-6.00, 29.00, 29.10 and Chenango Reforestation Area No. 7, Stand(s) A-4.10, will be accepted at the Department of Environmental Conservation, Contract Unit, 625 Broadway, Albany, NY 12233-5027 until 11:00 a.m., Thursday, Dec. 30, 2004.

*For further information (including billing) contact:* Robert Slavicek, Supervising Forester, Department of Environmental Conservation, Division of Lands and Forests, Region 7, 2715 State Hwy. 80, Sherburne, NY 13460-4507, (607) 674-4036

### SALE OF FOREST PRODUCTS

#### NOTICE OF SALE

Chenango Reforestation Area Nos. 1 and 11

Contract No. X005449

Pursuant to section 9-0505 of the Environmental Conservation Law, the Department of Environmental Conservation hereby gives public notice of the following:

Sealed bids for 10.1 MBF more or less of black cherry, 5.1 MBF more or less of red oak, 2.9 MBF more or less of red maple, 2.6 MBF more or less of white ash, 0.6 MBF more or less of hard maple, 0.2 MBF more or less of basswood, 154 cords more or less of hardwood firewood and 114 posts more or less of northern white cedar located on Chenango Reforestation Area No. 1, Stand(s) C-23; E-10, 22, 36; F-8, 11; G-3 and Chenango Reforestation Area No. 11, Stand(s) A-7, 23, will be accepted at the Department of Environmental Conservation, Contract Unit, 625 Broadway, Albany, NY 12233-5027 until 11:00 a.m., Thursday, Dec. 30, 2004.

*For further information (including billing) contact:* Robert Slavicek, Supervising Forester, Department of Environmental Conservation, Division of Lands and Forests, Region 7, 2715 State Hwy. 80, Sherburne, NY 13460-4507, (607) 674-4036

### SALE OF FOREST PRODUCTS

#### NOTICE OF SALE

Cortland Reforestation Area No. 17

Contract No. X005463

Pursuant to section 9-0505 of the Environmental Conservation Law, the Department of Environmental Conservation hereby gives public notice of the following:

Sealed bids for 107.6 MBF more or less and 420 tons more or less of hardwood sawtimber and pulpwood/firewood stumpage located on Cortland Reforestation Area No. 17, Stand(s) B-2, 9, 11, 12, 13, 20, will be accepted at the Department of Environmental Conservation, Contract Unit, 625 Broadway, Albany, NY 12233-5027 until 11:00 a.m., Thursday, Dec. 30, 2004.

*For further information (including billing) contact:* Mark Zubal, Forester 1, Department of Environmental Conservation, Division of Lands and Forests, Region 7, 1285 Fisher Ave., Cortland, NY 13045-1090, (607) 753-3095