

MISCELLANEOUS NOTICES/HEARINGS

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

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
Draft 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 air and water 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 (CNMP), are the foundation for DEC's environmental regulatory program to control potential water pollution from farms. Certain medium and large sized farms have experienced difficulty with the planning and permit process due to lack of funding and the need for technical assistance regarding permit compliance. Small farms, while generally not required to obtain permits, may be designated by DEC and required to obtain permits.

A comprehensive process has been established to prepare and certify planners to develop CNMP, 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 (DAM), Certified Crop Advisors, agricultural consultants and farmers. CNMP 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 owner/operators will work together to develop the CNMP, which will ensure that the farmer-planner relationship continues into the future to keep the CNMP current.

EFARM proposes to focus on CAFOs that are required to develop and implement their CNMP; particularly those experiencing problems completing the CNMP. Under regulation, farms which are mandated to obtain a CAFO Permit were required to have their CNMP developed and certified by June 30, 2004. There are approximately 637 medium and large 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 CNMP 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' CNMP. EFARM will work closely with the partnership agencies and groups listed above to help farmers finance implementation of their CNMP 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 result in reduced air and water pollution from these facilities. Under the EFARM, EFC will provide financial assistance for the completion of and annual updates to CNMP as required by Part 750.

EFARM only applies to farms designated as CAFO facilities, as defined by DEC General SPDES Permit No. GP-04-02 or GP-99-01, in compliance with Part 750.

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 CNMP for planning the implementation of management practices that will address water and air pollution problems associated with nutrient management. State assistance payments in an amount up to 90% of CNMP expenses, not to exceed \$8,000, would be provided to farmers for the development of approved CNMP. The farms would contribute at least 10% matching funds under this reimbursement program. Farms that have completed and paid for CNMP would be eligible for funding, provided the costs are documented and incurred after July 1, 1999 and the farm has not received funding assistance for CNMP development from another governmental agency or third-party entity. 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.

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 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).

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 under the FAB EFARM 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 for reimbursement of eligible costs (90%; up to \$8,000) by June 30, 2006. The funding agreement would include the authorization to pay for

annual updates up to \$2,000 per year to keep their CNMP current through the CAFO Permit GP-04-02 implementation deadline or March 30, 2010 (end of 2009 cropping season).

Application requirements for completion of CNMP 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.

Application requirements for 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 CNMP costs up front. Farms that have already been funded (90%) for CNMP plan development through other governmental sources will not be eligible for reimbursement, but may obtain funding for annual updates. Partial funding may be obtained, as determined by EFC, for up to 90% (up to a maximum amount of eight thousand dollars) of costs not funded through other governmental sources through the same process. A complete description of all sources of funding must be included with the application.

VIII. Funding Schedule

To the extent monies are available, EFC will provide state assistance for CNMP completion and annual CNMP update on a first-come, first-served basis starting in the Winter of 2004/05.

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 their 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. Receipt of final documents for update funding must be completed by March 31, 2010 (for the 2009 cropping season). 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, 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 21 N.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.

(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.

X. Information Availability

Any person seeking additional information or application material regarding this program should contact EFC after the final publication date 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 and click on "EFARM"
 email: wilson@nysefc.org

Comments to this draft can be submitted by November 12, 2004 via mail to the address indicated above or via e-mail to: wilson@nysefc.org.

PUBLIC NOTICE

Power Authority of the State of New York
 Notice of Public Forum on
 Proposed Government Customer Rate Increase

Pursuant to the Power Authority's Policy and Procedures concerning Public Forums on Rate Proposals, the Authority will conduct a Public Forum to obtain the views of interested persons on a proposed increase in rates for power sold to government customers located primarily in New York City. The Forum will be held at the following location:

Date: Tuesday, November 16, 2004
 Place: Power Authority's New York City Office
 501 Seventh Avenue, 9th Floor
 Time: 10:00 a.m.

Interested parties may receive documentation concerning the rate proposal and the relevant resolutions of the Authority's Board of Trustees from the Secretary of the Authority at the address and phone number below. Individuals and organizations wishing to make statements at the Public Forum are encouraged to notify the Secretary of their intent to do so at least five days before the Forum and should provide to the Authority at the Forum 15 copies of any written statements concerning the proposal. All written statements shall be made part of the record of the Forum whether or not presented orally in their entirety.

For further information about the rate proposal or the Forum, contact: Angela Graves, Deputy Secretary, New York Power Authority, 123 Main St., White Plains, NY 10601, (914) 287-3092

PUBLIC NOTICE

Rockland County Solid Waste Management Authority
 Draft Request for Proposals for
 Sludge Cocomposting Facility Operations and
 Initial Capital Improvements Contractor
 and Yard Waste Composting Facility Operations

The Rockland County Solid Waste Management Authority is issuing a Draft Request For Proposals (DRFP) for its Cocomposting Facility and proposed Yard Waste Composting Facility. The Contractor shall (1) furnish all labor, materials, supplies, and equipment, as detailed in the DRFP, (2) produce Compost Products in accordance with specifications set forth in the DRFP by processing Wastewater Sludge and other Acceptable Materials, including Yard Waste, (3) operate and maintain all equipment (except the scale system), (4) account for, store and market the recovered material ensuring its Beneficial Use, and dispose of rejects at the adjacent Transfer Station or an alternate disposal facility, (5) complete certain capital improvements, and (6) secure all required construction-related permits. The Contractor will also provide pricing for operation and maintenance of a Yard Waste Composting Facility.

The DRFP will be available beginning on October 15, 2004 from:
 Rockland County Solid Waste Management Authority
 420 Torne Valley Road
 Hillburn, New York 10931
 Telephone Number: (845) 753-2200

The DRFP is being made available to Proposers in compliance with New York State Municipal Law, Section 120-w. A pre-proposal conference and site visit will be held on Wednesday, November 17, 2004 at 10:00 a.m. in the Rockland County Solid Waste Management Authority Conference Center at its Hillburn, New York offices. Although not mandatory, attendance at the meeting is strongly encouraged.

PUBLIC NOTICE

Department of Taxation and Finance
 Tax Law Section 1111 Regional Average
 Retail Sales Prices for Motor Fuel and Diesel Motor Fuel

Pursuant to the provisions of section 1111(e) of the Tax Law, the Commissioner of Taxation and Finance hereby gives public notice of the regional average retail sales price for motor fuel and diesel motor fuel for purposes of the tax imposed by section 1102 of the Tax Law.

For the period December 1, 2004, through May 31, 2005, the regional average retail sales prices for motor fuel and diesel motor fuel for region 1 and region 2 are as follows:

	Motor Fuel	
Region 1	\$1.595	
Region 2	\$1.526	
	Diesel Motor Fuel	
Region 1	\$1.477	
Region 2	\$1.459	

These are the same prices in effect for the period June 1, 2004, through November 30, 2004.

Region 1 includes: New York City (counties of Bronx, Kings (Brooklyn), New York (Manhattan), Richmond (Staten Island), and Queens) and counties of Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk, and Westchester. (This is commonly called the Metropolitan Commuter Transportation District.)

Region 2 includes: All other counties.

For further information contact: Michael Parada, Department of Taxation and Finance, W.A. Harriman Campus, Albany, NY 12227, Technical Services Division, (518) 457-0346

**SALE OF
FOREST PRODUCTS
NOTICE OF SALE
Chenango Reforestation Area No. 6
Contract No. X005366**

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 419 cords more or less of Norway spruce, 0.4 MBF more or less of black cherry, 0.2 MBF more or less of red maple, 0.1 MBF more or less of white ash, and 15 cords more or less of firewood located on Chenango Reforestation Area No. 6, Stand(s) E-20, 22, 23, will be accepted at the Department of Environmental Conservation, Contract Unit, 625 Broadway, Albany, NY 12233-5027 until 11:00 a.m., Thursday, Oct. 28, 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