

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

NOTICE OF PUBLIC HEARING

Office for Technology
State Environmental Quality Review Act
Notice of Completion of
Draft Generic Environmental Impact Statement and
Notice of SEQRA Public Hearings

Date: September 14, 2004

Lead Agency: New York State Office for Technology ("OFT"), Statewide Wireless Network Project Office, State Capitol, ESP, Albany, New York 12220-0062.

This notice is issued pursuant to Part 617 of the implementing regulations of the State Environmental Quality Review Act ("SEQRA") (Article 8 of the Environmental Conservation Law). A Draft Generic Environmental Impact Statement ("DGEIS") has been completed by OFT and released for public review for the proposed action described below.

Name of Action: New York Statewide Wireless Network ("SWN" or "Network").

SEQRA Classification: Type I Action.

Brief Description of Action: OFT proposes to develop the SWN for voice and data radio communication services to enable public safety and public service entities operating within the State of New York to

better respond to and protect our citizens. The SWN will provide essential connectivity to coordinate the delivery of governmental services to the citizens of New York, and to enable immediate coordination of public safety resources in emergency situations to ensure the public's safety and welfare. The proposed SWN project is fundamentally an infrastructure, a collection of radio sites throughout the State interconnected by a network, monitored and controlled by a pair of redundant operations centers.

The proposed action is the deployment of the SWN, which includes the Primary Regional Build Out, Final Engineering Design, Statewide implementation involving the Construction and Operation of the Network and Ongoing Maintenance of the SWN.

Location of Action: A generic environmental impact statement has been completed by OFT because the exact locations of the SWN antenna facilities and operations centers ("Network Facilities") have yet to be determined. OFT expects that the SWN project will involve the establishment of Network Facilities in locations across New York. The eventual locations for the Network Facilities will be selected to avoid, to the extent practicable, previously undeveloped sites. The use of existing State-owned infrastructure and properties will be a priority in determining the locations of the SWN antenna facilities and operations centers.

Public Hearings: OFT will conduct public hearings on the DGEIS at sixteen (16) locations throughout the State in October of 2004. All public hearings will commence at 7:00 p.m. on the dates and at the locations that follow:

Date	Location	Address
October 14, 2004	Buffalo	Erie County Fire Training Academy, (Cheektowaga Auditorium), 3359 Broadway Cheektowaga, NY 14227-1130
October 14, 2004	White Plains	Westchester County Center, (Room E-F) 198 Central Avenue, White Plains, NY 10606
October 19, 2004	Rochester	Monroe County Community College, (Room 5-300) Brighton Campus, 1000 East Henrietta Road, Rochester, NY 14623
October 19, 2004	Salamanca	Salamanca High School (Auditorium), 50 Iroquois Drive, Salamanca, NY 14779-1398
October 20, 2004	Hauppauge	H. Lee Dennison Building (Media Room), 100 Veterans Memorial Highway, Hauppauge, NY 11788
October 20, 2004	New York City	Metropolitan Transportation Authority, (20th Floor Conference Room), 2 Broadway, New York, NY 10004

October 21, 2004	Syracuse	Clay Fire Department (Meeting Room), 4383 Route 31, Clay, NY 13041	Essex County Board of Supervisors 7551 Court Street Elizabethtown, NY 12932	Franklin County Board of Supervisors 355 West Main Street Malone, NY 12953
October 21, 2004	Utica	Mohawk Valley Community College, (Room IT-225), 1101 Sherman Drive, Utica, NY 13501	Fulton County Board of Supervisors County Office Building, Room 205 223 West Main Street Johnstown, NY 12095	Genesee County Planning Department Genesee County Office Building #2 3837 West Main Road Batavia, NY 14020
October 26, 2004	Mineola	Nassau County Legislative Chambers, 1 West Street, Mineola, NY 11501	Greene County County Administrators Office 411 Main Street Catskill, NY 12414	Hamilton County Board of Supervisors NYS Route 8 Lake Pleasant, NY 12108
October 26, 2004	Troy	Hudson Valley Community College, (Bulmer Auditorium), 80 Vandenburg Avenue, Troy, NY 12180-6025	Herkimer County Legislature 109 Mary Street, Suite 1310 Herkimer, NY 13350	Jefferson County Office of County Administration 175 Arsenal Street, 2nd Floor Watertown, NY 13601
October 27, 2004	Pomona	Rockland County Fire Training Center, (Auditorium), 35 Fireman's Memorial Drive, Pomona, NY 10970	Lewis County Board of Legislature Office, Legislator's Office Room 310 Lewiston County Court House 7660 State Street Lowville, NY 13367	Livingston County Administration Livingston County Government Center 6 Court Street Geneseo, NY 14020
October 27, 2004	Watertown	Dulles State Office Building (Lobby), 317 Washington Street, Watertown, NY 13601	Madison County Attorney's Office Madison County Offices 138 North Court Street Wampsville, NY 13163	Monroe County Executive Office County Office Building, Suite 110 39 West Main Street Rochester, NY 14614
October 28, 2004	Kingston	Ulster County Office Building, (Legislative Chambers), 244 Fair Street, Kingston, NY 12401	Montgomery County Board of Supervisors, County Annex Building, 20 Park Street Fonda, NY 12068	Nassau County Office of Information Technology 1490 Franklin Avenue Mineola, NY 11501
October 28, 2004	Lake Placid	Olympic Training Center, (Adirondack Room), 421 Old Military, Road, Lake Placid, NY 12946	Niagara County Legislature Niagara County Court House, First Floor, 175 Hawley Street Lockport, NY -14095	Oneida County Clerk's Office Oneida County Clerk 800 Park Avenue Utica, NY 13501
November 3, 2004	Corning	Radisson Hotel Corning (Carder Room), 125 Denison Parkway East, Corning, NY 14830	Onondaga County Public Library Main Branch at the Galleries 447 South Salina Street Syracuse, NY 13202	Ontario County Board of Supervisors 20 Ontario Street Canandaigua, NY 14424
November 4, 2004	Binghamton	Broome County Library, (Decker Community Room), 185 Court Street, Binghamton, NY 13901-3503	Orange County Executive's Office Orange County Government Center 255 Main Street Goshen, NY 10924	Orleans County Legislature 3 South Main Street Albion, NY 14411

Written Comments: OFT will accept written comments on the DGEIS from October 1, 2004 through November 30, 2004. Written comments should be submitted to the New York State Office for Technology, Statewide Wireless Network Project Office, State Capitol, ESP, Albany, New York 12220-0062, Attn: SEQRA Comments. In addition, written comments may be submitted to OFT online at www.oft.state.ny.us/swn.

Document Availability: Copies of the DGEIS are available for inspection at the following locations:

Albany County Clerk's Office Albany County Court House 16 Eagle Street, Room 128 Albany, NY 12207	Allegany County Clerk's Office 7 Court Street Belmont, NY 14813	Cattaraugus County Legislature 303 Court Street Little Valley, NY 14755	Oswego County Legislature 46 East Bridge Street Oswego, NY 13126	Otsego County Legislature 197 Main Street Cooperstown, NY 13326
Broome County Legislature 44 Hawley Street, 6 th Floor Binghamton, NY 13902-1766	Chautauqua County Planning Department, 200 Harrison Street Jamestown, NY 14701	Chenango County Clerk's Office 5 Court Street Norwich, NY 13815	Putnam County Information Technology Department Donald B. Smith Government Campus 111 Old Route 6, Building 3 Carmel, NY 10512	Rensselaer County, Environmental Management Council Office, Ned Pattison Government Center, 1600 Seventh Avenue Troy, NY 12180
Cayuga County Clerk's Office 160 Genesee Street, 1st Floor Auburn, NY 13021	Columbia County Planning Department 401 State Street Hudson, NY 12534	Delaware County Emergency Services 280 Phoebe Lane, Suite 3 Delhi, NY 13753	Rockland County Planning Department, 50 Sanitarium Road, Building T, Pomona, NY 10970	Saratoga County Board of Supervisors 40 McMaster Street Ballston Spa, NY 12020
Chemung County Steele Memorial Library 101 East Church Street Elmira, NY 14901	Columbia County Planning Department 401 State Street Hudson, NY 12534	Erie County Central Library 1 Lafayette Square Buffalo, NY 14203	Schenectady County Clerk's Office 620 State Street Schenectady, NY 12305	Schoharie County Board of Supervisors 284 Main Street, Room 365 Schoharie, NY 12157
Clinton County Legislative Office Clinton County Government Center 137 Margaret Street, Suite 208 Plattsburgh, NY 12901	Columbia County Planning Department 401 State Street Hudson, NY 12534		Schuyler County Legislature 105 Ninth Street Watkins Glen, NY 14891	Seneca County Legislature 1 DiPronio Drive Watertown, NY 13165
Cortland County Executive Offices 60 Central Avenue, Room 300 Cortland, NY 13045	Delaware County Emergency Services 280 Phoebe Lane, Suite 3 Delhi, NY 13753		St. Lawrence County Legislature 48 Court Street Canton, NY 13617	Steuben County Planning Department 3 East Pulteney Square Bath, NY 14810
Dutchess County Executive Office 22 Market Street, 6th Floor Poughkeepsie, NY 12601	Erie County Central Library 1 Lafayette Square Buffalo, NY 14203		Suffolk County Middle Country Public Library 101 Eastwood Boulevard Centereach, NY 11720	Sullivan County Planning Department 100 North Street Monticello, NY 12701

Tioga County Manager's Office 56 Main Street Owego, NY 13827	Tompkins County Administrative Office 125 East Court Street, 3rd Floor Ithaca, NY 14850
Ulster County Clerk's Office 244 Fair Street Kingston, NY 12401	Warren County Clerk of the Legislature 1340 State Route 9 Lake George, NY 12845
Washington County Department of Public Safety Washington County Municipal Center, 383 Broadway Fort Edward, NY 12828	Wayne County Board of Supervisors 26 Church Street Lyons, NY 14489
Westchester County Department of Information Technology, 148 Martin Avenue White Plains, NY 10601	Wyoming County Clerk's Office 143 North Main Street, Suite 104 Warsaw, NY 14569
Yates County Administrative Offices 417 Liberty Street Penn Yan, NY 14527	Bronx Borough President's Office Building 851, Grand Concourse #301 Bronx, NY 10451
Brooklyn Borough Brooklyn Public Library Central Library Society Science and Technology Division Grand Army Plaza Brooklyn, NY 11238	Manhattan Borough Office of the Borough President One Centre Street, 19th Floor New York, NY 10007
Queens Borough Office of the Borough President 120-55 Queens Boulevard, Room 243, Kew Gardens, NY 11424	Staten Island Environmental Engineering Office Staten Island Borough Hall, Room 125 10 Richmond Terrace Staten Island, NY 10301

Contact Person: Hanford C. Thomas, Director, Statewide Wireless Network, NYS Office for Technology, Statewide Wireless Network Project Office, State Capitol, ESP, P.O. Box 2062, Albany, New York 12220-0062, phone number: 518-443-2041.

PUBLIC NOTICE
Department of Health

Pursuant to 42 CFR §447.205, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for long-term care services and non-institutional services to comply with enacted and proposed State legislation. The following significant changes are being considered:

Long-Term Care Services:

Effective for services provided on and after October 1, 2004 through December 31, 2004 and annually thereafter for services provided on and after January 1, 2005, Medicaid rates of payment shall include a rate adjustment to assist qualifying facilities pursuant to the following:

a) Eligibility for such rate adjustment shall be determined on the basis of each residential health care facility's operating margin over the most recent three-year period for which financial data are available from the RHC-4 cost report or the institutional cost report. For purposes of the adjustment made for the period October 1, 2004 through December 31, 2004, financial information for the calendar years 2000 through 2002 shall be utilized. For each subsequent rate year, the financial data for the three-year period ending two years prior to the applicable rate year shall be utilized for this purpose.

Each facility's operating margin for the three-year period shall be calculated by subtracting total operating expenses for the three-year period from total operating revenues for the three-year period, and dividing the result by the total operating revenues for the three-year

period, with the result expressed as a percentage. For hospital-based residential health care facilities for which an operating margin cannot be calculated on the basis of the submitted cost reports, the sponsoring hospital's overall three-year operating margin, as reported in the institutional cost report, shall be utilized for this purpose. All facilities with negative operating margins calculated in this way over the three-year period shall be arrayed into quartiles based on the magnitude of the operating margin. Any facility with a positive operating margin for the three-year period or an average Medicaid utilization percentage of 50% or less during the most recent year of the three-year period shall be disqualified from receiving an adjustment.

For each facility remaining after the exclusions made pursuant to the above paragraph, the Commissioner of Health shall calculate the average annual operating loss for the three-year period by subtracting total operating expenses for the three-year period from total operating revenues for the three-year period, and dividing the result by three. For this purpose, for hospital-based residential health care facilities for which the average annual operating loss cannot be calculated on the basis of submitted cost reports, the sponsoring hospital's overall average annual operating loss for the three-year period shall be apportioned to the residential health care facility based on the proportion of the residential health care facility's total revenues for the period bears to the total revenues reported by the sponsoring hospital.

Each such facility's qualifying operating loss shall be determined by multiplying the facility's average annual operating loss for the three-year period as calculated above by the applicable percentage shown in the tables below for the quartile within which the facility's negative operating margin for the three-year period is assigned.

- For a facility located in a county with a total population of 200,000 or more as determined by the 2000 United States (U.S.) Census:

First Quartile (lowest operating margins):	30 percent
Second Quartile	15 percent
Third Quartile	7.5 percent
- For a facility located in a county with a total population of fewer than 200,000 as determined by the 2000 U.S. Census:

First Quartile (lowest operating margins):	35 percent
Second Quartile	20 percent
Third Quartile	12.5 percent

The amount of any facility's financially disadvantaged residential health care facility distribution calculated in accordance with the above shall be reduced by the facility's estimated rate year benefit of the 2001 update to the regional input price adjustment factor. After all other adjustments to a facility's financially disadvantaged residential health care facility distribution have been made, the amount of each facility's distribution shall be limited to no more than \$400,000 during the period October 1, 2004 through December 31, 2004 and during any subsequent annual rate period.

The adjustment made to each qualifying facility's Medicaid rate of payment shall be calculated by dividing the facility's financially disadvantaged residential health care facility distribution by the facility's total Medicaid patient days reported in the cost report submitted two years prior to the rate year, provided that such rate adjustments for the period October 1, 2004 through December 31, 2004, shall be calculated based on 25% of each facility's reported total Medicaid patient days as reported in the applicable 2002 cost report. Such amounts shall not be reconciled to reflect changes in Medicaid utilization between the year two years prior to the rate year and the rate year.

The total amount of funds to be allocated and distributed as Medicaid rate adjustments to eligible facilities shall be thirty million dollars for the period October 1, 2004 through December 31, 2004 and thirty million dollars for annual rate periods on and after January 1, 2005. In the event that the statewide total of rate adjustments varies from thirty million dollars in a given rate period, each qualifying

facility's rate adjustment shall be proportionately increased or decreased such that the total rate adjustments made is equal to thirty million dollars on a statewide basis.

This provision is contingent upon securing all necessary federal approvals.

Non-Institutional Services:

Effective October 1, 2004 through December 31, 2004, the weekly payment rate for methadone maintenance treatment services provided by diagnostic and treatment centers to patients eligible for Medicaid shall be \$172.76. Effective January 1, 2005 and thereafter, the weekly payment rate for these services shall equal the weekly payment rate made for general hospital outpatient methadone maintenance treatment services for such patients.

The estimated annual aggregate gross increase in Medicaid expenditures attributable to these initiatives is approximately \$45.7 million.

In addition, pursuant to, but not required by 42 CFR §447.205, the Department of Health gives this informational notice regarding a proposed Title XIX (Medicaid) State Plan amendment for long-term care services.

For residential health care facilities, the reimbursable assessment of each residential health care facility's gross receipts from all patient care services and other operating income on a cash basis for hospital or health-related services, including adult day services, excluding the facility's gross receipts attributable to payments received from Medicare, shall be five percent for all such gross receipts on or after April 1, 2003 through March 31, 2006. This reimbursable assessment shall expire and be of no further effect for all such gross receipts received on or after April 1, 2006. The estimated gross increase in Medicaid expenditures for the period April 1, 2004 through March 31, 2005, as a result of this change is \$164.5 million.

Copies of the proposed state plan amendments will be on file in each local (county) social services district and are available for public review.

For the New York City district, copies will be available at the following places:

New York County
250 Church Street
New York, New York 10018

Queens County, Queens Center
3220 Northern Boulevard
Long Island City, New York 11101

Kings County, Fulton Center
114 Willoughby Street
Brooklyn, New York 11201

Bronx County, Tremont Center
1916 Monterey Avenue
Bronx, New York 10457

Richmond County, Richmond Center
95 Central Avenue, St. George
Staten Island, New York 10301

The public is invited to review and comment on these proposed state plans amendments.

For further information and to review and comment please contact: William Johnson, Department of Health, Division of Legal Affairs, Office of Regulatory Reform, Corning Tower, Rm. 2415, Empire State Plaza, Albany, NY 12237, (518) 473-7488, fax: (518) 486-4834, e-mail: regsqna@health.state.ny.us.

Department of State

Proclamation

Revoking Limited Liability Partnerships

WHEREAS, Article 8-B of the Partnership Law, requires registered limited liability partnerships and New York registered foreign limited liability partnerships to furnish the Department of State with a statement every five years updating specified information, and

WHEREAS, the following registered limited liability partnerships and New York registered foreign limited liability partnerships have not furnished the department with the required statement, and

WHEREAS, such registered limited liability partnerships and New York registered foreign limited liability partnerships have been provided with 60 days notice of this action;

NOW, THEREFORE, I, Randy A. Daniels, Secretary of State of the State of New York, do declare and proclaim that the registrations of the following registered limited liability partnerships are hereby revoked and the status of the following New York foreign limited liability partnerships are hereby revoked pursuant to the provisions of Article 8-B of the Partnership Law, as amended:

**DOMESTIC REGISTERED LIMITED
LIABILITY PARTNERSHIPS**

A

ACTIVE BRACING, LLP (99)

B

BERRY & NURZIA, LLP (99)

BRETZ & COVEN LIMITED LIABILITY PARTNERSHIP (99)

C

CANCILLA & SCARAMELLA LLP (99)

CONFORTI, WALLER & KAPLOWITZ, LLP (99)

CONOVER & ZAYAS LLP (99)

COSTELLO, SHEA & GAFFNEY LLP (99)

CUTLER MINIKES & ADELMAN LLP (99)

D

DASILVA, HILOWITZ, MCEVILY & GREENBERG LLP (99)

DBM INTERNISTS, L.L.P. (99)

DILLON & SARCONI LLP (99)

DURR, RILEY, NORTZ & KING, L.L.P. (99)

DWYER & JORDAN, LLP (99)

E

EDELMAN, SULTAN, KNOX, WOOD/ARCHITECTS, LLP (99)

F

FRISONI & HELLER, LLP (99)

G

GALLINA & EDELMAN, LLP (99)

GARSON, GERSPACH, DECORATO & COHEN, LLP (99)

GETMAN LYDER & SCALISE LLP (99)

GOLDMAN & MAURER, LLP (99)

J

JONES, JONES, LARKIN & O'CONNELL, LLP (99)

K

KEE & LAU-KEE, LLP (99)

L

LEAV & STEINBERG, L.L.P. (99)

LIEBERMAN & SELDEN LLP (99)

LONDON FISCHER LLP (99)

M

MARDEN HARRISON & KREUTER LLP (99)

MINDES WEINISCH & LEVINE L.L.P. (99)

MORRISON & WAGNER, LLP (99)

- N**
NEW YORK SPINE SPECIALISTS, LLP (99)
- O**
OZER & SCHWEBER, LLP (99)
- Q**
QUALITY OUTREACH SERVICES, LLP (99)
- R**
ROBERT Z. GOLDSTEIN, M.D. & FREDRIC J. MINTZ, M.D., LLP (99)
ROMITA, GREENBERG, LLP (99)
- S**
S.E.S. CONSULTING, LLP (99)
SCHWARTZ & KLEIN LLP (99)
SEEGER WEISS LLP (99)
SMITHTOWN DENTAL ASSOCIATES, LLP (99)
SOUTH ISLAND RADIOLOGY, LLP (99)
SPEER & BENNETT, LLP (99)
- T**
TARRYTOWN PHYSICAL THERAPY, LLP (99)
THE RESTORATIVE DENTAL GROUP OF WESTCHESTER, LLP (99)
- W**
WEISS & FEDERICI LLP (99)

FOREIGN REGISTERED LIMITED
LIABILITY PARTNERSHIPS

- B**
BLACK & VEATCH NEW YORK LLP (99) (MO)

WITNESS my hand and the official seal of the Department of State at its office in the City of Albany this twenty-ninth day of September in the year two thousand four.

[SEAL]
RANDY A. DANIELS
Secretary of State

PUBLIC NOTICE

Department of State
F-2004-0194

Date of Issuance - September 29, 2004

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act of 1972, as amended.

The applicant has certified that the proposed activity complies with and will be conducted in a manner consistent with the approved New York State Coastal Management Program. The applicant's consistency certification and accompanying public information and data are available for inspection at the New York State Department of State offices located at 41 State Street in Albany, New York.

In F-2004-0194, Constellation Energy has applied to the Nuclear Regulatory Commission (NRC) for the relicensing of the Nine Mile Point, Units 1 & 2, Nuclear Power facility. No changes to the operating parameters or power output is proposed as part of the relicensing application. Similarly, no physical changes to the units and their ancillary equipment, hardware and infrastructure are proposed as part of the relicensing application at this time. A new license from the NRC would provide for 20 years of continued operation and power generation at Nine Mile Point beyond the present license terms which

are to expire on August 22, 2009 for Unit 1 and on October 31, 2026 for Unit 2. The Nine Mile Point Nuclear Power facility is situated on Lake Ontario in the Town of Scriba, Oswego County.

Any interested parties and/or agencies desiring to express their views concerning **any of** the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., **30 days from the date of publication of this notice, or October 29, 2004.**

Comments should be addressed to the Division of Coastal Resources and Waterfront Revitalization, New York State Department of State, 41 State Street, Albany, New York 12231. Telephone (518) 474-6000; Fax (518) 473-2464.

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

PUBLIC NOTICE

Department of State
F-2004-0305

Date of Issuance - September 29, 2004

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act of 1972, as amended.

The applicant has certified that the proposed activity complies with and will be conducted in a manner consistent with the approved New York State Coastal Management Program. The applicant's consistency certification and accompanying public information and data are available for inspection at the New York State Department of State offices located at 41 State Street in Albany, New York.

In F-2004-0305, Verdant Power is proposing the temporary installation of six underwater power generating turbines adjacent to the Roosevelt Island channel of the East River. The project, formally referred to as the Roosevelt Island Tidal Energy project, is intended to demonstrate the feasibility at this location of power generation through the use of tides and river currents. The proposed duration of the six demonstration units is eighteen months. The project is situated in the City of New York, Queens County.

Any interested parties and/or agencies desiring to express their views concerning **any of** the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., **30 days from the date of publication of this notice, or October 29, 2004.**

Comments should be addressed to the Division of Coastal Resources and Waterfront Revitalization, New York State Department of State, 41 State Street, Albany, New York 12231. Telephone (518) 474-6000; Fax (518) 473-2464.

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

PUBLIC NOTICE

Department of State
Public Notice - F-2004-0448

Date of Issuance - September 29, 2004

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act of 1972, as amended.

The applicant has certified that the proposed activity complies with and will be conducted in a manner consistent with the approved New York State Coastal Management Program. The applicant's consistency certification and accompanying public information and data are available for inspection at the New York State Department of State offices located at 41 State Street in Albany, New York.

In F-2004-0448, Monica Sue James of 259 S. Ocean Ave, Bayport, NY, 11705, is proposing the installation of a 4'x110' wooden open pile pier, two (4) pile boat lifts, and a double jet ski lift, in Great South Bay. The proposed structure would terminate in 4.25' of water at mean low water. The proposed activity is located at 259 S. Ocean Ave, in the Town of Islip, Suffolk County.

Any interested parties and/or agencies desiring to express their views concerning **(any of)** the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., **15 days from the date of publication of this notice, or October 14, 2004.**

Comments should be addressed to the Division of Coastal Resources and Waterfront Revitalization, New York State Department of State, 41 State Street, Albany, New York 12231. Telephone (518) 474-6000; Fax (518) 473-2464.

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

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.

2004-0536 Matter of William R. Shaw, 109 E. Seneca Street, Ithaca, NY 14850 for a variance concerning minimum rooms sizes required by the Property Maintenance Code for property located at the Wiltsie Tourist Court, 2775 SR 14, Town of Dix, County of Schuyler, State of New York.

2004-0559 Matter of Louis A Magnano, One Blue Bird Square, Olean, NY 14760 for a variance concerning handicapped accessibility. The property located at 221-225 No. Union Street, City of Olean, County of Cattaraugus, State of New York.

2004-0560 Matter of Rivers Run, LLC, 119 Victor Heights Parkway, Victor, New York, 14564 for an appeal of the code enforcement official's determination of occupancy classification. The buildings is classified as either an R2 (Dormitory) or a residential dwelling townhouse, 1 story in height, of Type 5B (unprotected wood frame) construction, and are located at Rivers Run, Fairwood Drive and River Road, in the Town of Henrietta, Monroe County, State of New York.

2004-0561 Matter of Albert J. Montevicchio, 20 Fairfield Drive, Fairport, New York, 14450, for a variance concerning fire safety requirements including relief from requirements to provide a required sprinkler system; relief from building area requirements; and relief from required plumbing fixtures. The building is classified as a mixed use containing R3 (Residential Occupancy), A4 (assembly occupancy) and B (business occupancy) horseback riding school and training center with apartments and offices. The building is 2 stories in height, of Type 5b (unprotected wood frame) construction, and is located at Bluemont Stables, Boughton Hill Road, Town of Farmington, Ontario County, State of New York.

2004-0562 Matter of David A Richards, 5794 Widewaters Parkway, Dewitt, New York, 13214 for a variance concerning fire safety requirements including relief from requirements to provide a sprinkler system. The building is classified as an A2 (Assembly Occupancy), 1 story, approximately 6,800 square feet in gross area, of Type 5b (unprotected wood frame) construction, and is located at Seneca Lake Recreational Property, 5009 East Lake Road, Town of Varick, Seneca County, State of New York.

2004-0563 Matter of Holger Stave, 1731 Beechwood Drive, Farmington, New York, 14425 for a variance concerning fire safety requirements including relief from requirements to provide a dimensionally code compliant stairway. The building is classified as an B (Business Occupancy), 2 stories with a basement, of Type 3b (unprotected ordinary) construction, and is located at McMillin Realty, 336 North Main Street, City of Canandaigua, Ontario County, State of New York.

SALE OF FOREST PRODUCTS NOTICE OF SALE

Albany Reforestation Area No. 1
Contract No. X005332

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 314.8 MBF more or less of softwood sawtimber, and 84.3 cords more or less of softwood round wood located on Albany Reforestation Area No. 1, Stand(s) A-53, 59, 68, will be accepted at the Department of Environmental Conservation, Contract Unit, 625 Broadway, Albany, NY 12233-5027 until 11:00 a.m., Thursday, Oct. 14, 2004.

For further information (including billing) contact: Bill Schongar, Forester, Department of Environmental Conservation, Division of Lands and Forests, 1150 N. Westcott Rd., Schenectady, NY 12306, (518) 357-2066

SALE OF FOREST PRODUCTS NOTICE OF SALE

Madison Reforestation Area No. 1
Contract No. X005343

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 97.2 MBF more or less of black cherry, 42.5 MBF more or less of white ash, 20.8 MBF more or less of hard maple, 13.9 MBF more or less of red maple, 1.9 MBF more or less of Norway spruce, 0.9 MBF more or less of aspen, 0.8 MBF more or less of hemlock, 0.7 MBF more or less of yellow birch and 155 cords more or less of miscellaneous hardwoods located on Madison Reforestation Area No. 1, Stand(s) E-6, 9, 12, 19, 21, 22, will be accepted at the Department of Environmental Conservation, Contract Unit, 625 Broadway, Albany, NY 12233-5027 until 11:00 a.m., Thursday, Oct. 14, 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

Schoharie Reforestation Area No. 16
Contract No. X005346

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 66.1 MBF more or less of red pine sawtimber, 142.9 MBF more or less of spruce sawtimber, 9.5 cords more or less of spruce pulpwood, 0.7 MBF more or less of red oak sawtimber, and 83.4 cords more or less of scotch pine pulpwood located on Schoharie Reforestation Area No. 16, Stand(s) A-59, 68, 69, B-10, 14, will be accepted at the Department of Environmental Conservation, Contract Unit, 625 Broadway, Albany, NY 12233-5027 until 11:00 a.m., Thursday, Oct. 14, 2004.

For further information (including billing) contact: Vicki Shorey, Forester, Department of Environmental Conservation, Division of Lands and Forests, Region 4, 65561 State Hwy. 10, Suite 1, Stamford, NY 12167-9503, (607) 652-7365

