

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

Department of Agriculture and Markets

In the Matter of considering the Continuation of the New York State Cabbage Research and Development Program, Pursuant to Article 25 of the Agriculture and Markets Law and 1 NYCRR section 205.12	DETERMINATION
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PRELIMINARY STATEMENT

Section 205.12 of Title One of the Official Compilation of Codes, Rules and Regulations of the State of New York ("1 NYCRR"), relating to the New York State Cabbage Research and Development Program ("Program"), provides that at least once during each six-year period the Program is in effect, the Commissioner shall conduct a referendum of eligible New York State cabbage growers to determine whether they approve the continuation of the Program. Continuation of the Program is subject to the approval of not less than 50 percent of such growers voting in the referendum. Upon such approval, a new six-year period begins as of the first of April of the year following the date approval of continuation of the Program is certified.

FINDINGS AND CONCLUSIONS

Pursuant to a Notice of Referendum, dated May 1, 2006, a referendum of eligible New York State cabbage growers was conducted

through June 5, 2006 inclusive, to determine whether such growers approve continuation of the Program. The results of the referendum have been duly recorded and verified as follows:

In favor — 37 (80.4%)
In opposition — 9 (19.6%)

Total eligible ballots counted and verified: 46

In addition, three ballots were declared ineligible, as follows:

2 ballots were not marked "yes" or "no"

1 ballot was returned as undeliverable

CERTIFICATION

Upon the results of the referendum as set forth above, I hereby certify, pursuant to 1 NYCRR section 205.12 and Agriculture and Markets Law section 294(2), that the percentage of eligible New York State cabbage growers required to approve the continuation of the Cabbage Research and Development Program has been met, with 80.4 percent of such cabbage growers participating in the referendum voting in favor of continuation of the Program.

NOW, THEREFORE, upon the findings and conclusions herein, I determine that the Cabbage Research and Development Program (1 NYCRR Part 205) should be and hereby is continued pursuant and subject to Article 25 of the Agriculture and Markets Law and 1 NYCRR section 205.12.

PATRICK H. BRENNAN
Commissioner of Agriculture and Markets
of the State of New York

Dated at the Town of Colonie
(Albany County), New York this
27th day of June 2, 2006

PUBLIC NOTICE

Department of Criminal Justice Services

Pursuant to Public Officers Law Section 104, the Division of Criminal Justice Services gives notice of a meeting of the Security Guard Advisory Council:

Date: Monday, July 17, 2006

Time: 11:00 a.m.

Place: John Jay College
Room 610T

899 10th Avenue (between W. 58th and W. 59th Streets)
New York City, NY

For further information or if you need a reasonable accommodation to attend this meeting, please contact: Stephen Lynch, Office of Public Safety, Division of Criminal Justice Services, 4 Tower Place, Albany, NY 12203, (518) 457-4135

PUBLIC NOTICE

Department of Environmental Conservation
2006 Hydrocarbon Lease Offering for State Lands

Sealed bids are invited for hydrocarbon leases on the following tracts of State owned lands:

Bid Package #1		
Contract	Chemung County State Reforestation Area	125.09
#X 005997	#1C, Catlin SF, Town of Catlin	Acres
Bid Package #2		
Contract	Chemung County State Reforestation Area #2,	604.11
# X 005033	Maple Hill SF, Town of Chemung	Acres
Bid Package #3		
Contract	Cortland County State Reforestation Area	937.27
# X 005043	#1, Hewitt SF, Town of Scott	Acres
Bid Package #4		
Contract	Cortland County State Reforestation Area	4,416.26
# X 005037	#3, James D. Kennedy SF, Towns of Harford, Lapeer & Virgil	Acres
Bid Package #5		
Contract	Cortland County State Reforestation Area	1,481.08
# X 005040	#9, Tuller Hill SF, Town of Virgil	Acres
Bid Package #6		
Contract	Cortland County State Reforestation Area	955.90
# X 005041	#10, Tuller Hill SF, Town of Virgil	Acres
Bid Package #7		
Contract	Schuyler County State Reforestation Area	2,416.17
# X 005998	#4, Coon Hollow SF, Towns of Orange & Dix	Acres
Bid Package #8		
Contract	Steuben County State Reforestation Area	684.67
# X 005999	#5A, West Hill SF, Town of Hornby	Acres
Bid Package #9		
Contract	Tioga County State Reforestation Area #1,	811.16
# X 005034	Fairfield SF, Town of Candor	Acres
Bid Package #10		
Contract	Tioga County State Reforestation Area #2,	1,027.25
# X 005038	Oakley Corners SF, Towns of Newark Valley & Owego	Acres
Bid Package #11		
Contract	Tioga County State Reforestation Area #3,	1,937.35
# X 005035	Robinson Hollow SF, Towns of Richford, Caroline & Harford	Acres
Bid Package #12		
Contract	Tioga County State Reforestation Area #4, Anderson Hill SF, Town of Richford	554.36
# X 006000		Acres
Bid Package #13		
Contract	Tioga County State Reforestation Area #6,	500.01
# X 005042	Ketchumville SF, Town of Newark Valley	Acres
Bid Package #14		
Contract	Tioga County State Reforestation Area #7,	1,349.04
# X 006001	Jenksville SF, Towns of Berkshire & Newark Valley	Acres
Bid Package #15		
Contract	Tompkins County State Reforestation Area	915.12
# X 006003	#4, Potato Hill SF, Town of Caroline	Acres

Bid Package #16		
Contract	Broome/Tioga County Multiple Use Area	512.31
# X 006004	#1, Tracy Creek SF, Towns of Owego & Ves-	Acres
No Entry Lease	tal	
TOTAL		19,227.15
		Acres

These leases will be granted in accordance with the terms of Article 23, Title 11 of the Environmental Conservation Law and by following the procedures for bidding outlined in additional information to be provided to any interested party on request. Each lease will be awarded to the responsible bidder submitting the highest dollar per acre bonus. The minimum bonus bid is \$15 per acre. The leases have a five year primary term; delay rentals during the primary term are \$5 per acre per year.

Bid packages for individual tracts, which will include the Invitation for Bid (IFB), bid forms and procedures, maps of the lease area and a sample lease, will be available June 30, 2006 from the Department by download at no cost by accessing the Department's website at <http://www.dec.state.ny.us/website/dmn> and clicking on the link for "What's New" found under "Minerals Exploration Routes".

The entire suite of bid packages will also be available June 30, 2006 and may be obtained from the New York State Department of Environmental Conservation, Division of Mineral Resources, 625 Broadway, Albany, New York 12233-6500. Phone: (518) 402-8056. There will be a charge of \$50 (fifty dollars) for each hard copy bid package ordered. The total charge is \$800.00 if all the bid packages are so ordered. A check or money order, payable to the New York State Department of Environmental Conservation (NYSDEC), for the total number of Bid Packages ordered must accompany all requests.

The Department is responsible for providing addenda or responding to questions only from those persons or firms having obtained the Invitation for Bid (IFB) documents from the Department. Persons or firms obtaining the IFB from sources other than the Department bear sole responsibility for obtaining any addenda issued or responses to questions about the project. If it is necessary to revise this IFB before the due date for bids, revisions will be provided only to persons or firms who have requested the IFB documents from the Department.

Bids for each tract must be submitted individually in sealed envelopes, on the forms provided, to the NYS Department of Environmental Conservation, Bureau of Procurement Services and Expenditures, 625 Broadway, 10th Floor, Albany, New York 12233-5027, Attention: Debra Haswell, prior to 11:00 a.m. local prevailing time, August 23, 2006, at which location and time said bids will be publicly opened and read. Bid envelopes must be endorsed on the outside with the name and address of the Bidder, project name and contract number from the cover of the IFB, Bid Open date and time and be clearly marked as a Sealed Bid.

The Department reserves the right to reject any and all bids if such action best serves the State of New York.

PUBLIC NOTICE
Department of Health

Pursuant to 42 CFR section 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 prescription drugs dispensed in accordance

with State and federal requirements. Effective July 15, 2006 for sole or multi-source brand name drugs the Estimated Acquisition Cost (EAC) is defined as Average Wholesale Price (AWP) minus thirteen and twenty five one-hundredths (13.25) percent. For multi-source generic drugs, reimbursement is limited to the federal upper limit (FUL), if available, or the EAC defined as the lower of AWP minus twenty (20) percent or the NY State maximum acquisition cost (SMAC), established by the Commissioner of Health.

For approved HIV pharmacies the EAC remains as currently defined without change.

The estimated annual aggregate savings in Medicaid expenditures is approximately \$11.4 million for the first year of implementation.

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

For the New York City district, copies are 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 the review and comment on this proposed state plan amendment.

For further information or to review and comment on this proposed state plan amendment, please contact or write: 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

PUBLIC NOTICE

Department of State

F-2006-0476 (DA)

Date of Issuance -July 12, 2006

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

The United States Coast Guard (USCG) has determined that the proposed activity complies with and will be conducted in a manner consistent to the maximum extent practicable with the approved New York State Coastal Management Program. The consistency determination and accompanying public information and data is available for

inspection at the New York State Department of State offices located at 41 State Street in Albany, New York.

In F-2006-0476 (DA), The United States Coast Guard (USCG) Civil Engineering Unit is proposing waterfront repairs to the USCG Battery building located at 1 South Street, on the East River, New York County, New York. The project consists of installing approximately 130 linear feet of bulkhead oversheeting to repair a deteriorated steel sheet pile bulkhead. Approximately 270- cubic yards of riprap will be added to the base of 165 linear feet of granite block quay wall and 93 linear feet of concrete block bulkhead for scour protection. Existing piers "A" and "B", which are severely deteriorated, will be demolished and removed from the site. The proposed repairs will allow for continued shore protection of the site and will allow USCG to continue vessel berthing at the facility.

Any interested parties and/or agencies desiring to express their views concerning the above proposed activity 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 August 11, 2006.**

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 Section 306(d)(14) of the Federal Coastal Zone Management Act of 1972, as amended.

PUBLIC NOTICE

Department of State

F-2006-0485

Date of Issuance - July 12, 2006

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-2006-0485, the Haverstraw Marina Corporation proposes to dredge approximately 2000 cubic yards of material at the entrance to the Haverstraw Marina basin in Haverstraw Bay, Town of Haverstraw, Rockland County. The subsequent dredged material will be de-watered on site and disposed of at an approved upland facility. No in water work will occur during the critical environmental window for anadromous fish spawning and nursing between April and August. The stated purpose for the proposed activity is to enhance safe navigation into the marina basin.

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 August 11, 2006.**

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
Notice of Routine Program Change to the
New York Coastal Management Program

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

Revised Significant Coastal Fish and Wildlife Habitats in Nassau and Suffolk Counties, and New Significant Coastal Fish and Wildlife Habitats in Suffolk County.

Revised Significant Coastal Fish and Wildlife Habitats include: In the Town of North Hempstead: Prospect Point; Manhasset Bay; and Hempstead Harbor, and in the Town of Oyster Bay: Mill Neck Creek, Beaver Brook, and Frost Creek; and Oyster Bay and Cold Spring Harbor, and in the Town of Huntington: Eaton's Neck Point; Sand City; Huntington Bay; Northport Bay; Lloyd Point; Lloyd Harbor; Crab Meadow Wetlands and Beaches; and Oyster Bay and Cold Spring Harbor, and in the Town of Smithtown: Nissequogue Inlet Beaches; Stony Brook Harbor and West Meadow; and Nissequogue River, and in the Town of Brookhaven: Stony Brook Harbor and West Meadow; Flax Pond; Conscience Bay, Little Bay, and Setauket Harbor; Port Jefferson Harbor; Port Jefferson Beaches; Mt. Sinai Harbor; and Wading River Marsh and Beach, and in the Town of Southold: Plum Gut; The Race; Mattituck Inlet Wetlands and Beaches; and Fishers Island Beaches, Pine Islands, and Shallows.

New Significant Coastal Fish and Wildlife Habitats include: Caumsett State Park in the Town of Huntington, Herod Point Shoal in the Towns of Brookhaven and Riverhead, Roanoke Shoals in the Town of Riverhead, Baiting Hollow Wetlands and Beach in the Town of Riverhead, Grandifolia Sandhills in the Town of Riverhead, Goldsmith Inlet and Beach in the Town of Southold, Pipes Cove Creek and Moores Drain in the Town of Southold, and Dumpling Islands and Flat Hammock in the Town of Southold.

A major policy of the State's CMP and the Waterfront Revitalization and Coastal Resources Act (Article 42 of the NYS Executive Law) calls for the designation of significant coastal fish and wildlife habitats which are significant due to ecosystem rarity, vulnerable species, human use, population levels, or replaceability. Policy 7 of the State's CMP calls for areas so designated to be protected, preserved, and where practical, restored so as to maintain their viability as habitats.

In Nassau and Suffolk Counties, a total of 25 previously designated Significant Coastal Fish and Wildlife Habitat areas in the Long Island Sound region have been revised, and 8 new areas have been recommended for designation by the Department of Environmental Conservation under the State's CMP as administered by the DOS. Public Hearings on the proposed habitat revisions and designations were held by the DOS on October 13, 2004 at the Suffolk County Center in Riverhead, NY, and on October 14, 2004 at C.W. Post college in

Brookville, NY. Copies of the maps and narratives which describe the location and values of the habitats are available at the Department of State Office, 41 State Street, Albany, NY.

The purpose of this notice is to specifically solicit comments on whether or not revision and designation of these habitats constitutes a routine program implementation under the Coastal Zone Management Act of 1972, as amended.

Any comments on whether or not the action constitutes a routine program implementation should be submitted within three weeks of the date of this notice to John R. King, Chief, Office of Ocean and Coastal Resource Management, Coastal Programs Division, N/ORM3, 1305 East-West Highway, Silver Spring, MD 20910.

Comments regarding specific areas to be revised or designated should be forwarded to the NYS Department of State.

Contact: Gregory Capobianco, Division of Coastal Resources, DOS, 41 State St., Albany, NY 12231, (518) 474-6000

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.

2006-0421 Matter of David Bill, Safety Director, Airgas East Inc., 643 Upper Court Street, Binghamton, NY 13904 for a variance concerning fire-safety requirements including those for requiring automatic fire-extinguishing systems.

Involved is new reconstruction of a building of Group H-2 (high-hazard, storage of flammable compressed gas cylinders) occupancy of Type IIB-unprotected noncombustible construction, one story in height and approximately 3,000 square feet in gross floor area. It is located at 643 Upper Court Street, Town of Kirkwood, County of Broome, State of New York.

2006-0481 Matter of Lowe's Home Centers Inc., 1605 Curtis Bridge Road, Wilkesboro, NC 28697 for an appeal/and or variances concerning fire-safety requirements, including the minimum roof slope of a building and the provision of a fire rated roof structure.

Involved is a new retail store of type 1 construction, known as Bethpage Market Square-Lowe's, located at 920 South Broadway, Town of Oyster Bay, County of Nassau, State of New York.

SALE OF FOREST PRODUCTS NOTICE OF SALE

Allegany Reforestation Area No. 12
Contract No. X006163

Pursuant to Section 9-0505 of the Environmental Conservation Law, the Department of Environmental Conservation hereby gives Public Notice for the following sale of Forest Products:

Sealed bids for 680 MBF more or less of softwood sawtimber, 1.3 MBF more or less of hardwood sawtimber, and 312 cords more or less of softwood cordwood located on Allegany Reforestation Area No. 12, Stand(s) 2, 24, will be accepted at the Department of Environmental Conservation, Contract Unit, 625 Broadway, 10th Fl., Albany, NY 12233-5027 until 11:00 a.m., Thursday, July 27, 2006.

For further information, contact: Gregory Muller, Forester 1, Department of Environmental Conservation, Division of Lands and Forests, Region 9, 5425 County Route 48, Belmont, NY 14813-9758, (585) 268-5392

**SALE OF
FOREST PRODUCTS**

NOTICE OF SALE

Oneida Reforestation Area No. 4

Contract No. X006154

Pursuant to Section 9-0505 of the Environmental Conservation Law, the Department of Environmental Conservation hereby gives Public Notice for the following Sale of Forest Products:

Sealed bids for hard maple 83.1 MBF ±, black cherry 54.5 MBF ±, white ash 40.2 MBF ±, Eastern hemlock 38.5 MBF ±, soft maple 11.1 MBF ±, American beech 6.7 MBF ±, aspen 3.3 MBF ±, yellow birch 3.1 MBF ±, basswood 3.7 MBF ±, red pine 1.4 MBF ±, Norway spruce 1.2 MBF ±, hardwood firewood 630 cords ±, hemlock pulp 79 cords ±, red pine pulp 1 cord ± located on Oneida Reforestation Area No. 4, Stand(s) A-1, 3, 4, 5, will be accepted at the Department of Environmental Conservation, Contract Unit, 625 Broadway, 10th Fl., Albany, NY 12233-5027 until 11:00 a.m., Thursday, July 27, 2006.

For further information, contact: Scott Healy, Forester, Department of Environmental Conservation, Division of Lands and Forests, Region 6, 225 N. Main St., P.O. Box 89, Herkimer, NY 13350-0089, (315) 866-6330

