

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 8:00 a.m. to 4:30 p.m., at:

1-800-221-9311
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 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 non-institutional services to revise provisions of the Ambulatory Patient Group (APG) reimbursement methodology on or after January 1, 2012:

- Recalculated weights will become effective on January 1, 2012.

There is no estimated annual change to gross Medicaid expenditures as a result of the proposed amendments.

Copies of the proposed state plan amendment will be on file in each local (county) social services district and 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 this proposed state plan amendment.

For further information and to review and comment, please contact: Department of Health, Bureau of HCRA Operations and Financial Analysis, Corning Tower Bldg., Rm. 984, Empire State Plaza, Albany, NY 12237, (518) 474-1673, (518) 473-8825 (FAX), e-mail: spa_inquiries@health.state.ny.us

PUBLIC NOTICE Department of Health

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

To clarify the provision previously noticed on March 30, 2011, the uniform payment reduction for pharmacy services will be reduced to approximately 1%. The pharmacy program anticipates achieving commensurate savings for generic drugs through an enhanced State Maximum Allowable Cost (SMAC) initiative intended to optimize the scope and cost effectiveness of the existing SMAC Program; therefore, pharmacy services are excluded from the full 2% across-the-board payment reduction. The annual decrease in gross Medicaid expenditures for state fiscal year 2011/12 as a result of this action is \$84.6 million and is included in the overall fiscal cited for the uniform across-the-board reduction for all services.

Copies of the proposed state plan amendment will be available for public review on the Department's website at: http://www.health.ny.gov/regulations/state_plans/status

In addition, copies will be on file in each local (county) social services district.

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

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

The public is invited to review and comment on this proposed state plan amendment.

For further information and to review and comment, please contact: Bureau Director, Department of Health, Bureau of HCRA Operations and Financial Analysis, Corning Tower Bldg., Rm. 984, Empire State Plaza, Albany, NY 12237, (518) 474-1673, (518) 473-8825 (FAX), e-mail: spa_inquiries@health.state.ny.us

PUBLIC NOTICE

Department of State
F-2011-0705 (DA)

Date of Issuance - October 12, 2011

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 Department of the Interior, Army Corps of Engineers - New England District (Corps) 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 One Commerce Plaza, 99 Washington Avenue in Albany, New York.

In F-2011-0705 (DA), the U.S. Army Corps of Engineers - New England District, is proposing to perform maintenance dredging of the existing federal navigation channel known as the Patchogue River Channel in Westbrook, Connecticut. Approximately 34,000 cubic yards of dredged material would be removed from the critically shoaled areas within the channel and then placed at the Cornfield Shoals Open-water Disposal Site (CSDS). The CSDS is located within Long Island Sound, approximately 3.3 nautical miles south of Cornfield Point, Old Saybrook, CT and approximately 4.1 nautical miles north of East Marion, Town of Southold, Suffolk County, NY.

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., 15 days from the date of publication of this notice, or October 27, 2011.

Comments should be addressed to: Department of State, Division of Coastal Resources, One Commerce Plaza, 99 Washington Ave., Suite 1010, Albany, NY 12231, (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-2011-0784

Date of Issuance - October 12, 2011

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 One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

In F-2011-0784, Black Rock Yacht Club, is proposing to perform maintenance dredging of the existing marina located at 80 Grovers Avenue, Bridgeport, Fairfield County, Connecticut, with subsequent un-confined disposal of approximately 5,000 cubic yards of dredged material at the Western Long Island Sound Open Water Disposal Site (WLIS). The WLIS is located within Long Island Sound, approximately 2.8 nautical miles south of Long Neck Point, Noroton, CT and approximately 2.6 nautical miles north of Lloyd Neck, Town of Huntington, Suffolk County, NY.

Any interested parties and/or agencies desiring to express their

views concerning 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, by October 27, 2011.

Comments should be addressed to: Department of State, Division of Coastal Resources, One Commerce Plaza, Suite 1010, 99 Washington Ave., Albany, NY 12231, (518) 474-6000, Fax (518) 473-2464

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

PUBLIC NOTICE

Susquehanna River Basin Commission
Actions Taken at September 15, 2011, Meeting

SUMMARY: As part of its regular business meeting held on September 15, 2011, in Milford, New York, the Commission convened a public hearing, at which it took the following actions: 1) approved settlements involving two water resources projects; 2) approved or tabled the applications of certain water resources projects, including two involving diversions of water into the Susquehanna River Basin and one involving a diversion of water out of the Susquehanna River Basin; and 3) rescinded approval for one water resources project.

DATE: September 15, 2011

ADDRESSES: Susquehanna River Basin Commission, 1721 N. Front Street, Harrisburg, PA 17102-2391.

FOR FURTHER INFORMATION CONTACT: Richard A. Cairo, General Counsel, telephone: (717) 238-0423, ext. 306; fax: (717) 238-2436; e-mail: rcairo@srbc.net; or Stephanie L. Richardson, Secretary to the Commission, telephone: (717) 238-0423, ext. 304; fax: (717) 238-2436; e-mail: srichardson@srbc.net. Regular mail inquiries may be sent to the above address. See also Commission web site at www.srbc.net.

SUPPLEMENTARY INFORMATION: In addition to the public hearing and its related actions on projects identified in the summary above and the listings below, the following items were also presented or acted on at the business meeting: 1) presentation of the Commission's Maurice K. Goddard Award for Excellence by a Water Management Professional to Dr. Willard Harman, Director of the SUNY Oneonta Biological Field Station in Cooperstown, New York; 2) a report on expansion of the SRBC Remote Water Quality Monitoring Network in New York State; 3) a report on hydrologic conditions in the Susquehanna River Basin, including a review of the August-September 2011 flood events caused by Tropical Storms Irene and Lee; 4) extension of the comment period to November 10, 2011, for the proposed rules that appeared in 76 FR 41154-41157, July 13, 2011; 5) a preliminary introduction to dockets; 6) adoption of a FY-2012 capital budget for the acquisition of a new headquarters building for the Commission, including authority to execute an agreement of sale and related documents; 7) adoption of a resolution recognizing the Delaware River Basin Commission on the occasion of its 50th Anniversary; and 8) ratification of grants/contracts. The Commission also heard counsel's report on legal matters affecting the Commission. The Commission convened a public hearing and took the following specific actions:

Public Hearing – Compliance Matter

The Commission approved settlements in lieu of civil penalties for the following projects:

1. Energy Corporation of America; Coldstream Affiliates #1MH and Whitetail #1-5MH; Goshen and Girard Townships, Clearfield County, Pa. - \$17,500

2. Keister Miller Investments, LLC; West Branch Susquehanna River; Mahaffey Borough, Clearfield County, Pa. - \$1,000

Public Hearing – Rescission of Project Approval

The Commission rescinded approval for the following project:

1. Project Sponsor and Facility: Lake Meade Municipal Authority (Docket No. 19911102), Reading Township, Adams County, Pa.

Public Hearing – Projects Approved

The Commission approved the following projects not involving diversions:

1. Project Sponsor: Borough of Ephrata. Project Facility: Ephrata Area Joint Authority, Ephrata Borough, Lancaster County, Pa. Groundwater withdrawal of up to 1.210 mgd from Well 1.

2. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Athens Township, Bradford County, Pa. Modification to increase surface water withdrawal by an additional 0.441 mgd, for a total of 1.440 mgd (Docket No. 20080906).

3. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Terry Township, Bradford County, Pa. Modification to increase surface water withdrawal by an additional 0.441 mgd, for a total of 1.440 mgd (Docket No. 20090605).

4. Project Sponsor and Facility: EXCO Resources (PA), LLC (Pine Creek), Porter Township, Lycoming County, Pa. Surface water withdrawal of up to 1.000 mgd.

5. Project Sponsor: Hazelton Creek Properties, LLC. Project Facility: Hazelton Mine Reclamation, Hazelton City, Luzerne County, Pa. Modification to increase consumptive water use approval by 0.145 mgd, for a total of 0.200 mgd (Docket No. 20110307).

6. Project Sponsor and Facility: J-W Operating Company (Sterling Run), Lumber Township, Cameron County, Pa. Modification to conditions of the surface water withdrawal approval (Docket No. 20090330).

7. Project Sponsor and Facility: M & P Energy Services Inc. (Susquehanna River), Briar Creek Borough, Columbia County, Pa. Surface water withdrawal of up to 0.999 mgd.

8. Project Sponsor: Mayor and City Council of Baltimore. Project Facility: Maryland Water Supply System, Halls Cross Roads District, Harford County, Md. Modification to conditions of the surface water withdrawal and consumptive water use approvals (Docket No. 20010801).

9. Project Sponsor: Milton Regional Sewer Authority. Project Facility: Wastewater Treatment Plant, Milton Borough and West Chillisquaque Township, Northumberland County, Pa. Withdrawal of treated wastewater effluent of up to 0.100 mgd.

10. Project Sponsor and Facility: Pennsylvania General Energy Company, L.L.C. (West Branch Susquehanna River), Pine Creek Township, Clinton County, Pa. Surface water withdrawal of up to 0.400 mgd.

11. Project Sponsor and Facility: Seneca Resources Corporation (Marsh Creek), Delmar Township, Tioga County, Pa. Surface water withdrawal of up to 0.499 mgd.

12. Project Sponsor and Facility: Southwestern Energy Production Company, Herrick Township, Bradford County, Pa. Groundwater withdrawal of up to 0.101 mgd from the Fields Supply Well.

13. Project Sponsor and Facility: Susquehanna Gas Field Services, L.L.C. (Meshoppen Creek), Meshoppen Borough, Wyoming County, Pa. Modification to project features and conditions of the surface water withdrawal approval (Docket No. 20090628).

14. Project Sponsor: Susquehanna Gas Field Services, LLC. Project Facility: Meshoppen Pizza Well, Meshoppen Borough, Wyoming County, Pa. Modification to project features and conditions of the groundwater withdrawal approval (Docket No. 20100612).

15. Project Sponsor and Facility: William C. Wingo (Wingo Ponds), Ulysses Township, Potter County, Pa. Surface water withdrawal of up to 0.099 mgd.

16. Project Sponsor and Facility: XTO Energy, Inc. (West Branch Susquehanna River), Chapman Township, Clinton County, Pa. Surface water withdrawal of up to 2.000 mgd.

Public Hearing – Projects Approved Involving Diversions

The Commission approved the following projects involving diversions:

1. Project Sponsor: Mayor and City Council of Baltimore. Project Facility: Maryland Water Supply System, Halls Cross Roads District, Harford County, Md. Modification to conditions of the diversion approval (Docket No. 20010801).

2. Project Sponsor: SWEPI, LP. Project Facility: Pennsylvania American Water Company – Warren District, Warren City, Warren County, Pa. Into-basin diversion of up to 3.000 mgd from the Ohio River Basin.

3. Project Sponsor: EQT Production Company. Project Facility: Frano Freshwater Impoundment, Washington Township, Jefferson County, Pa. Into-basin diversion of up to 0.482 mgd from the Ohio River Basin.

Public Hearing – Project Withdrawn

The following project application was withdrawn by the project sponsor:

1. Project Sponsor: Graymont (PA), Inc. Project Facility: Pleasant Gap Facility, Spring Township, Centre County, Pa. Application for groundwater withdrawal of up to 0.660 mgd from Well I-5 (McJunkin Well Field).

Public Hearing – Projects Tabled

The following projects were tabled by the Commission:

1. Project Sponsor: Anadarko E&P Company LP. Project Facility: Sproul State Forest – Council Run, Snow Shoe Township, Centre County, Pa. Application for groundwater withdrawal of up to 0.715 mgd from Well PW-11.

2. Project Sponsor and Facility: Stanley S. Karp Sr. (Tunkhannock Creek), Nicholson Township, Wyoming County, Pa. Application for surface water withdrawal of up to 0.510 mgd.

AUTHORITY: Pub.L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806, 807, and 808.

Dated: September 28, 2011.

Thomas W. Beauduy,

Deputy Executive Director.

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 Steven Rocklin, Codes Division, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2011-0123 Matter of Gladys Valentin, 104 E. 11th Street, Huntington, NY 11746 for an appeal and or variances concerning safety requirements, including the ceiling height within an existing basement space and stairway widths.

Involved is one family dwelling, located at 104 E. 11th Street, Town of Huntington, Suffolk County, State of New York.

2011-0146 Matter of North Shore CSD, 112 Franklin Ave., Sea Cliff, NY 11579 for an appeal and or variances concerning safety requirements, including the requirement for a fire apparatus access road.

Involved is a field house building, located at 450 Glen Cove Avenue, Town of Oyster Bay, Nassau County, New York.

2011-0157 Matter of Beatriz Pena, 1835 Harte Street, Baldwin, NY 11510 for an appeal and or variances concerning safety requirements, including the ceiling height within an existing basement space.

Involved is one family dwelling, located at 1835 Harte Street, Town of Hempstead, Nassau County, State of New York.

2011-0167 Matter of George Bruns, 16 East Poplar St., Floral Park, NY 11001 for an appeal and or variances concerning safety requirements, including the ceiling height and the need for emergency escape and rescue openings within existing basement space.

Involved is one family dwelling, located 16 Poplar Street, Incorporated Village of Floral Park, Nassau County, State of New York.

2011-0170 Matter of Patrick O'Halloran, 41 Covet Ave, Floral Park, NY 11001 for an appeal and or variances concerning safety requirements, including the requirement for an opening protective in an existing fire wall.

Involved is a restaurant occupancy, located at 41 Covert Avenue,

Incorporated Village of Floral Park, Nassau County, State of New York.

2011-0296 Matter of Jean Giovino, 1220H Youngs Road, Williamsville, NY 14221 for a variance concerning: requirements for minimum width of exit stairs.

Involved is the alterations to install an inclined chair lift in the exit stair of a two story multiple dwelling occupancy building, located at 1220H Youngs Road, Village of Williamsville, County of Erie, State of New York.

2011-0330 Matter of Joseph Avola 109 Village Rd., Apt F Yorktown Heights, NY 10598 for a variance concerning building code requirements, including exit width and handicapped accessibility.

Involved is installation of a stair lift at an existing building, R2 occupancy classification, located at 109 Village Road, Town of Yorktown, County of Westchester, State of New York.

PUBLIC NOTICE

Town of Wheatfield

NOTICE IS HEREBY GIVEN that a draft request for proposals for refuse and recycling contracts for the Town of Wheatfield have been filed and are available in the office of the Wheatfield Town Clerk and in the North Tonawanda Public Library and the Sanborn Public Library.

Interested parties may comment upon the draft request for proposals by submitting written comments to the Wheatfield Town Clerk at 2800 Church Road, North Tonawanda, NY 14120 on or before October 11, 2011.

In accordance with New York State General Municipal Law 120-w, it is the intention of the Town to enter into negotiations for an agreement with the contractor(s) whose proposal(s), in the judgment of the Town of Wheatfield, best serves the Town's needs, considering net costs, technical feasibility and reliability, resources, financial condition, risk allocation, and experience in similar operations.

The time for interested parties to comment upon the draft request for proposals by submitting written comments to the Wheatfield Town Clerk at 2800 Church Road, North Tonawanda, NY 14120 is now extended and comments will be accepted until October 24, 2011.

Contact for additional information: Robert J. O'Toole, Town Attorney, Wheatfield Town Hall, 2800 Church Rd., North Tonawanda, NY 14120, (716) 504-0494

SALE OF FOREST PRODUCTS Cayuga Reforestation Area No. 2 Contract No. X008374

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 219.9 MBF more or less of sawtimber and 295 cords more or less of pulpwood/firewood, located on Cayuga Reforestation Area No. 2, Summer Hill State Forest, Stand(s) A-49, 51.1, 51.2, 54, B-44 and 45, 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, Oct. 20, 2011.

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

SALE OF FOREST PRODUCTS Tioga Reforestation Area No. 3 Contract No. X008386

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 202.745 MBF more or less of sawtimber, 210 cords more or less of hardwood/softwood pulp, and 74 tons more or less of red pine pulp, located on Tioga Reforestation Area No. 3, Robinson Hollow State Forest; Stands A-52, 53, 59 and 62, 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, Oct. 20, 2011.

For further information, contact: John Clancy, Senior Forester, Department of Environmental Conservation, Division of Lands and Forests, Region 7, 1285 Fisher Ave., Cortland, NY 13045-1090, (607) 753-3095