

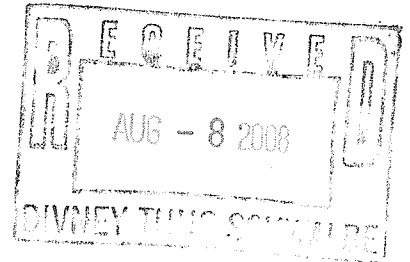
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CITY OF YONKERS
WATER BUREAU

July 28, 2008

Mr. Gerhard M. Schwalbe, P.E.
DIVNEY TUNG SCHWALBE, LLP
One North Broadway
White Plains, NY 10601

RE: SFC Yonkers -- Request for Information

We are providing this response to the information requested in your letter to the City Water Bureau dated July 8, 2008. Our responses are cross-referenced to the questions and comment numbers indicated in your letter.

Answers:

Bullets under Item A (Water Rates and Usage)

For fiscal year of July 1, 2008 through June 30, 2009, NYC per capita rate for water sale which:

- do not exceed the allowance quantities of water authorized to City of Yonkers (entitlement per capita water rate) is \$ 900.31 per million gallons.
- exceed the allowance quantities (excess per capita water rate) is \$ 3,088.24 per million gallons.

The entitlement water rate is based on NYC daily per capita water consumption versus Yonkers daily per capita water consumption.

NYC rate of daily per capita water consumption varies each month.

NYC never disclosed a formula as to how the water rates are being calculated/determined despite a class action law-suit by Westchester County water purveyors purchasing water from NYC water system.

Monthly allowable water consumption for Yonkers is calculated as follow:

(NYC daily per capita rate) X (# of days in a month) X (Yonkers population based on US Census)

The formula indicate: As NYC daily per capita rate changes each month, automatically the allowable water quantity also changes each month.

As the formula shows:

A larger Yonkers population = the higher allowable quantities of water authorized to Yonkers at the entitlement per capita rate of \$ 900.31 per million gallons (\$0.67 per 100 cubic feet).

The population in the formula is based on the certified U.S. Census.

Potable water provided to each City of Yonkers residence and business establishment is being metered and they pay for the amount of water they use at a rate of \$ 1.27 per 100 cubic feet.

Answer # A-1 (Comment III.H-10)

Potable water provided to each facility within the SFC project will be metered and each establishment will be charged by the City of Yonkers for water usage at a rate of \$ 1.27 per 100 cubic feet (CF). According to the DEIS, the residential component of the SFC project is projected to generate 1,957 additional residents to the City of Yonkers population. This population increase will eventually increase the water quantity allowances authorized to the City of Yonkers at the entitlement per capita rate of \$900.31 per million gallons (\$0.67 per 100 CF).

Answer # A-2; A-3; A-4 and A-7 (Comments III.H-33, III.H-44, III.H-55 & III.H-63)

Potable water provided to each facility within the SFC project will be metered and each establishment will be charged by the City of Yonkers for water usage at a rate of \$1.27 per 100 CF. A total of 1,386 residential units (with approx additional 1,957 residents) have been proposed within the SFC project. These 1,957 new Yonkers residents will increase the amount of monthly water allowance from the NYC water system by 8.43 million gallons.

The increase in the Yonkers population by the SFC project will increase the allowable monthly water consumption at NYC entitlement per capita water rates after a new U.S. Census is compiled and adopted.

The estimated total water usage by the SFC project (excluding seasonal irrigation) is 543,665 gallons per day, 16.3 million gallons per month.

There might be some months within a year that Yonkers will have to pay for 7.87 million gallons of water used by the SFC project at the excess per capita rate.

At this time, it is difficult to establish how much Yonkers may have to pay for water used by the SFC project at excess per capita rate due to the fact that Yonkers does not know how NYC determines their daily per capita water consumption rates and their rates vary each month.

Although the increase in the number of residential units and commercial establishments proposed by the SFC project will increase total water usage by the City of Yonkers, it will also generate an additional revenue for Yonkers from water re-sale to new establishments by the project.

The estimated water usage by the project is 543,665 gallons per day.

The City of Yonkers will pay an additional \$487.00 per day to NYC for water used by the SFC project (NYC entitlement water rate \$0.67 per 100 CF).

The City of Yonkers will generate an additional \$923.00 per day only from water re-sale to the all establishments within the SFC project (Yonkers water rate \$1.27 per 100 CF), thus resulting in a net gain of \$436 per day to Yonkers (i.e., $\$923 - \$487 = \$436$ per day).

Answer # A-4; A-5 and A-6 (Comments III.H-55, III.H-56 & III.H-58)

Partial answers to these questions are above (answers A-2; A-3; A-4 & A-7).

NYC does not limit the amount of water Yonkers can draw from NYC Water System, but allocates the amount of water Yonkers can purchase at the entitlement per capita water rate of \$900.31 per million gallons.

Yonkers has to pay for quantities of water above the allocated amount at NYC's excess per capita rate of \$3,088.24 per million gallons.

The Downtown network of water mains is old and Yonkers will greatly benefit from all propose improvements to this part of Yonkers Water Distribution System including new water mains, valves, hydrants, etc.

City of Yonkers water rates will not be increased due to the increased water demand for the SFC project.

Answer # B-1 & B-2 (Comment & Response for III.H-11)

The existing pressure in Yonkers downtown is 57 psi. Proposed mitigation measures to downtown water network by the SFC project will increase pressure to 59 psi.

Based on hydraulic analysis prepared by Lackowitz Engineering, the Kensico Line operated by County Water District # 1 will not be impacted by additional water flow of 0.7 MGD during high water demand drawn from the Line.

The previous problem with pressure and water flow capacity in Nodine Hill area has been already mitigated by the cleaning and lining project completed in spring 2008.

Yonkers Engineering and Water Departments will be involved during design and construction process of all water infrastructure proposed by the Project.

Answer # B-3 & B-4 (Comment & Response for III.H-13)

Yonkers does not know particulars about NYC DEP capital programs. We are aware of a possible future Catskill aqueduct shut down for inspection and maintenance.

Yonkers has constructed three (3) miles of 30-inch water main connected to the Kensico Pipeline (Water District # 1) to compensate for loss of water supply during anticipated Catskill Aqueduct shut down.

As part of the Westchester County Capital improvement program, the members of Water District #1 sent a letter to the County Executive requesting in part that the county shall construct a southern connection to the NYC distribution system and pump station to provide redundancy in the event of failure of Lower Kensico Pipeline (south of Shaft # 22).

The proposed development will have no impact on the need for these Capital Improvements.

Potable water entering Yonkers is from the NYC aqueduct water system and any sources of water that need protection or any acquisition and protection of watershed lands do not apply to the City of Yonkers.

The City of Yonkers strongly encourages all residents and business establishments to conserve drinking water.

The SFC project proposes low flow fixtures to reduce water consumption by 20 % of the estimated total water demand.

Answer # B-5 & B-6 (Comment & Response to III.H-48)

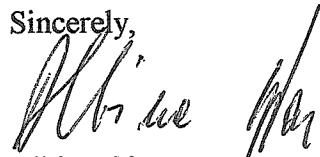
The Grassy Sprain Reservoir was taken out of service around 1987 due to water quality issues. This reservoir is still classified as one of Yonkers water supply source, but under no circumstances can this water be used to maintain domestic water pressure or fire availability without adequate treatment that complies with NYS Sanitary Code.

This reservoir could possibly be used only during catastrophic failure of whole Yonkers Water Distribution System.

Answer # B-7 (Comment III.H-9)

NYC does not limit the amount of water Yonkers can draw from NYC Water System.

Sincerely,



Albina Glaz, Water Engineer
Yonkers Water Bureau

Cc: John A. Liszewski
James DeRito, AICP
John Speight
Christine Sculti