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BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION

CITY OF KENNEWICK, )  
 ) TR-040664  
 )  
 ) REVISED TESTIMONY OF  
Petitioner, ) LLOYD L. LEATHERS  
 )  
 )  
 vs. )  
 )  
UNION PACIFIC RAILROAD, )  
 )  
 )  
Respondent. )

Q. PLEASE STATE YOUR NAME, TITLE AND PLACE OF BUSINESS.

My name is Lloyd L. Leathers and I am Manager of Train Operations for Union Pacific Railroad Company (UP). My office is at Hinkle Yard in Hermiston, Oregon.

Q. BRIEFLY DESCRIBE YOUR RAILROAD BACKGROUND AND EXPERIENCE.

I started with UP as a brakeman in 1972, and worked as a conductor, yardmaster, and terminal trainmaster before being promoted to Manager of Train Operations in 1987.

Q. WHAT ARE YOUR PRESENT DUTIES AND RESPONSIBILITIES?

I supervise railroad operations and train crews over UP's rail lines between the Sandy River, east of Portland, to Hinkle Yard in Hermiston, from Hinkle to Sun Harbor, north of Wallula, Washington, from Wallula to Richand Jct., and from Oregon Trunk Jct. to Bend,

1 Oregon, a total of 410 miles of track.

2 **Q. ARE YOU FAMILIAR WITH THE CITY OF KENNEWICK'S PROPOSED**  
3 **EXTENSION OF CENTER PARKWAY ACROSS UP'S TRACKS AT RICHLAND JCT?**

4 Yes, I have participated in discussions and meetings with the cities of Kennewick  
5 and Richland about this proposed crossing since 2001, and analyzed the impact of the crossing  
6 on our interchange operations at that location.

7 **Q. PLEASE DESCRIBE UP'S TRACKAGE AT RICHLAND JCT.**

8 The proposed extension of Center Parkway would cross two UP tracks that are  
9 used for interchanging cars with the Tri-City & Olympia Railroad (TCRY). The southerly track  
10 is the end portion of the Kalan Industrial lead, formerly part of UP's Yakima Branch. It is  
11 referred to as the old UP Main. The old UP Main terminates just short of Steptoe Street, which  
12 is approximately 0.6 miles west of Center Parkway. The old UP Main continues eastward to  
13 Kennewick and on to Wallula. The northerly track is a passing track referred to as old UP Pass.  
14 Its clear length is 2575 feet, and will hold 40-45 cars of an average 60- to 65-foot length. Near  
15 the east end of the old UP Pass is a switch connection to the Port of Benton's tracks. These  
16 tracks are depicted on the attached Exhibit A.

17 If Center Parkway were extended across UP's tracks, the usable length of UP  
18 Pass west of the crossing would be reduced to 1,480 feet. In 1,480 feet, we could hold 23 to 25  
19 cars of average length. East of the proposed crossing, 480 feet would remain available,  
20 accommodating 7 to 8 cars.

21 **Q HOW ARE THE TRACKS CURRENTLY USED?**

22 Union Pacific interchanges cars with the TCRY on these tracks. TCRY sets out  
23 cars (primarily refrigerator cars, or "reefers") for UP in the morning. UP picks them up in the  
24 evening and sets out cars for TCRY to pick up the following morning.

25 The procedure for UP picking up and setting out cars will vary, depending upon  
26 how many cars are waiting for UP on the UP Pass. If the cars to be picked up aren't too

1 numerous, the switch crew, which is approaching from the east, will connect into the standing  
2 cars waiting for pick-up on the UP Pass. The switch engine will then continue westbound until  
3 the cars being delivered to TCRY clear the switch at the east end of the UP Pass. It will then  
4 disconnect from the cars to be delivered, and proceed westbound beyond the switch at the west  
5 end of the UP Pass onto the tail end of the UP Main. The locomotive, with the picked-up cars,  
6 then reverses direction, returning eastbound on the UP Main and departs eastbound out of the  
7 area. For this procedure to work, all of the cars being picked up must be able to fit on the tail  
8 portion of the UP Main. The locomotive shoves them onto this tail track while moving  
9 westbound, and pulls them out eastward. Although it depends upon the lengths of the cars,  
10 which can vary from 50 to 70 feet in length, usually only 9-10 cars will fit on the tail track.

11 **Q. WHAT IS THE PROCEDURE IF THERE ARE MORE THAN 9 OR 10 CARS TO**  
12 **PICK UP?**

13 If there are more than 9 or 10 cars to pick up, a different maneuver will be  
14 needed to get the locomotive onto the front end of the train for the trip back to Wallula. In that  
15 case, the locomotive will come into the UP Pass from the east, hook into the cars left by the  
16 TCRY and pull them eastbound out of the UP Pass. It will then shove them westward onto the  
17 Port Main, disconnect from those cars, reverse back out of the Port Main and pull onto the UP  
18 Pass with the cars to be delivered to the TCRY. The locomotive will disconnect from those cars,  
19 head westbound to the tail track, reverse direction, returning on the UP Main until it can reverse  
20 direction again and connect into the cars it set out earlier on the Port Main. It will then depart  
21 eastbound toward Wallula.

22 **Q. HOW MANY TIMES WOULD UP HAVE TO CROSS CENTER PARKWAY TO**  
23 **CONDUCT THIS INTERCHANGE?**

24 If UP had 9-10 or fewer cars to pick up, it would cross Center Parkway twice:  
25 once westerly over UP Pass and once easterly over UP Main. If UP had more than 10 cars to  
26 pick up, it would cross Center Parkway up to *eight* times: west and east across Center Parkway

1 on UP Pass to grab and pull out the cars being received from TCRY; west and east across  
2 Center Parkway on Port Main to temporarily place those cars; west on UP Pass to drop off cars  
3 for later pickup by TCRY and back east on UP Main with the locomotive only; west on the Port  
4 Main to pick up the cars coming from TCRY and east again to Wallula. This does not include  
5 the movements made by TCRY to interchange with UP on UP Pass or to interchange with  
6 BNSF Railway on Port Pass. And it does not include train movements by BNSF.

7 **Q. HOW OFTEN ARE MORE THAN 9-10 CARS DELIVERED TO UP BY TCRY?**

8 ~~Currently, about~~ About 25% of the time ~~we have~~ in 2005 (38% in 2006), we had  
9 more cars delivered to us by TCRY than ~~will~~ would fit on the tail track, causing the extra  
10 movements over UP's track and the Port's Main. Attached as Exhibits B and C are listings from  
11 ~~the last six months~~ April-October 2005 of the number of cars delivered to and received from  
12 TCRY, sorted by number of cars interchanged. Exhibits D and E are listings from April-October  
13 2006. We expect those numbers to increase in the future.

14 **Q. YOU MENTIONED EARLIER THAT THE EXTENSION OF CENTER**  
15 **PARKWAY WOULD REDUCE THE CAPACITY OF UP PASS. HOW WOULD THAT**  
16 **AFFECT UP?**

17 ~~Currently, about~~ About once a month, ~~in 2005,~~ we have ~~made~~ made a delivery of over  
18 40 cars ~~to make~~ to the TCRY. If the crossing goes in, we will lose the ability to use 615 feet of  
19 the UP Pass (the width of the crossing itself, plus 250 feet on either side of the crossing) and  
20 will not be able to handle more than about 30-33 cars on the UP Pass. During the last six  
21 months, there were three occasions when we delivered over 33 cars to TCRY. We will not be  
22 able to deliver as many cars as we are now capable of delivering, unless we switch some to the  
23 UP Main which mean installation of a derail and more switching for the UP and TCRY.

24 Based on current car counts, at least twice a month we will need the full  
25 remaining capacity of the UP Pass to hold the cars we are interchanging with the TCRY and the  
26 cars will need to be split on either side of the crossing. When this happens, there will be more

1 work required of the receiving railroad when it picks up the cars the next day. The crossing will  
2 be blocked for a considerable period of time while the receiving railroad puts the train together  
3 and performs the air brake test while cars are sitting on top of the crossing. The federally-  
4 mandated air brake test requires walking both sides of the train to make sure that the brakes set  
5 and release properly. Extensive crossing blockage increase the risk of reckless behavior by  
6 pedestrians waiting to cross the tracks, e.g., of people attempting to climb through the train.

7 We expect rail traffic counts to increase in the future, increasing the frequency  
8 of such crossing blockages.

9 **Q. WHAT WILL BE THE IMPACT OF THE CROSSING ON RESIDENTS WEST**  
10 **OF THE CROSSING?**

11 Some residents west of the proposed crossing already complain about the noise  
12 of refrigerator cars. Refrigerator cars will be placed closer to their homes much more frequently  
13 if the crossing is installed. ~~Currently, about~~ About 90% of the time in 2005 (75% in 2006), there  
14 ~~are~~ were 12 or fewer cars set out by TCRY in the morning, waiting for UP to pick them up in the  
15 evening. Those cars can now sit east of the existing homes. Once the crossing goes in, only 7  
16 cars could fit east of the crossing. If there are more than 7 cars to be delivered, all will be  
17 spotted west of the crossing. We receive 7 or fewer cars from the TCRY only about 50% of the  
18 time. Thus, the percentage of days when reefers will sit all day opposite houses will increase  
19 from 10%-25% to 50%.

20 **Q. WOULD INSTALLATION OF THE CROSSING HAVE A DETRIMENTAL**  
21 **IMPACT ON RAILROAD OPERATIONS?**

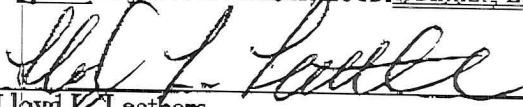
22 Yes. Lost capacity, crossing blockages, and increased noise complaints.

23 **DECLARATION**

24 I, Lloyd L. Leathers, declare under penalty of perjury under the laws of the State  
25 of Washington that the foregoing REVISED TESTIMONY OF LLOYD L. LEATHERS is true  
26 and correct to the best of my knowledge and belief.

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~~DATED~~ REVISED this 16 day of ~~November, 2005~~ October, 2006.

  
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Lloyd L. Leathers

Page 6 REVISED TESTIMONY OF LLOYD L. LEATHERS

~~LLOYD L. LEATHERS~~  
~~BAR POSTAL CLIENTS: 419990-DELTA VIEW CLUTE SIM~~  
ONY OF LEATHERS-REVISED.DOC

**DUNN CARNEY ALLEN HIGGINS & TONGUE LLP**  
Attorneys at Law  
851 SW Sixth Avenue, Suite 1500  
Portland, OR 97204-1357  
503.224.6440 / Fax: 503.224.7324

CERTIFICATE OF SERVICE

I hereby certify that the foregoing UNION PACIFIC RAILROAD'S REVISED TESTIMONY OF LLOYD L. LEATHERS was served on:

Washington Utilities & Transportation Committee
1300 So. Evergreen Park Drive, S.W.
Olympia, WA 98504-7250
By hand delivery
By first-class mail
By certified mail
[X] By overnight mail
[X] By email
By facsimile transmission

Brandon L. Johnson
Minnick Hayner, P.S.
249 W. Alder
Walla Walla, WA 99362
For Tri-City & Olympia Railroad
By hand delivery
[X] By first-class mail
By certified mail
By overnight mail
[X] By email
By facsimile transmission
Fax #:

John S. Ziobro, City Attorney
City of Kennewick
210 W. 6th Avenue
Kennewick, WA 99336
For City of Kennewick
By hand delivery
[X] By first-class mail
By certified mail
By overnight mail
[X] By email
By facsimile transmission

Jonathan Thompson
Asst. Attorney General
PO Box 40128
Olympia, WA 98504-0128
For WUTC Staff
By hand delivery
[X] By first-class mail
By certified mail
By overnight mail
[X] By email
By facsimile transmission

Kevin MacDougall
Montgomery Scarp
1218 3rd Avenue
Seattle, WA 98101
For BNSF Railway Company
By hand delivery
[X] By first-class mail
By certified mail
By overnight mail
[X] By email
By facsimile transmission

1 Thomas A. Cowan, Jr.  
2 PO Box 927  
3 Richland, WA 99352-0927

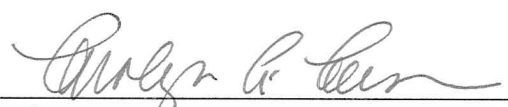
4 For Port of Benton

\_\_\_\_\_ By hand delivery  
 X  By first-class mail  
\_\_\_\_\_ By certified mail  
\_\_\_\_\_ By overnight mail  
 X  By email  
\_\_\_\_\_ By facsimile transmission

5 With first-class postage prepaid and deposited in Portland, OR.

6 DATED this 16th day of October, 2006.

7  
8 DUNN CARNEY ALLEN HIGGINS & TONGUE, LLP

9 

10 Carolyn L. Larson, WSBA 29016  
11 Attorneys for Respondent, Union Pacific Railroad Company

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