

1
2
3
4 BEFORE THE WASHINGTON STATE
5 UTILITIES AND TRANSPORTATION COMMISSION

6 CITY OF KENNEWICK,

7 Petitioner,

8 vs.

9 UNION PACIFIC RAILROAD,

10 Respondent.
11

NO. TR-040664

TESTIMONY OF
LLOYD L. LEATHERS

12
13 **Q. PLEASE STATE YOUR NAME, TITLE AND PLACE OF BUSINESS.**

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

16 **Q. BRIEFLY DESCRIBE YOUR RAILROAD BACKGROUND AND EXPERIENCE.**

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

19
20 **Q. WHAT ARE YOUR PRESENT DUTIES AND RESPONSIBILITIES?**

21 I supervise railroad operations and train crews over UP's rail lines between the
22 Sandy River, east of Portland, to Hinkle Yard in Hermiston, from Hinkle to Sun Harbor,
23 north of Wallula, Washington, from Wallula to Richand Jct., and from Oregon Trunk Jct. to
24 Bend, Oregon, a total of 410 miles of track.

25 //
26

Page 1 -- TESTIMONY OF LLOYD L. LEATHERS

KILME, VOORHEES & LAURICK, P.C.
A PROFESSIONAL CORPORATION
732 N.W. 19TH AVENUE
PORTLAND, OREGON 97209
(503) 224-0055 • FAX (503) 222-5280

1 **Q. RE YOU FAMILIAR WITH THE CITY OF KENNEWICK'S PROPOSED**
2 **EXTENSION OF CENTER PARKWAY ACROSS UP'S TRACKS AT RICHLAND**
3 **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
6 crossing on our interchange operations at that location.
7

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

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

19 If Center Parkway were extended across UP's tracks, the usable length of UP Pass
20 west of the crossing would be reduced to 1,480 feet. In 1,480 feet, we could hold 23 to
21 25 cars of average length. East of the proposed crossing, 480 feet would remain
22 available, accommodating 7 to 8 cars.

23 **Q. HOW ARE THE TRACKS CURRENTLY USED?**

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

1 The procedure for UP picking up and setting out cars will vary, depending upon
2 how many cars are waiting for UP on the UP Pass. If the cars to be picked up aren't too
3 numerous, the switch crew, which is approaching from the east, will connect into the
4 standing cars waiting for pick-up on the UP Pass. The switch engine will then continue
5 westbound until the cars being delivered to TCRY clear the switch at the east end of the
6 UP Pass. It will then disconnect from the cars to be delivered, and proceed westbound
7 beyond the switch at the west end of the UP Pass onto the tail end of the UP Main. The
8 locomotive, with the picked-up cars, then reverses direction, returning eastbound on the
9 UP Main and departs eastbound out of the area. For this procedure to work, all of the cars
10 being picked up must be able to fit on the tail portion of the UP Main. The locomotive
11 shoves them onto this tail track while moving westbound, and pulls them out eastward.
12 Although it depends upon the lengths of the cars, which can vary from 50 to 70 feet in
13 length, usually only 9-10 cars will fit on the tail track.

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

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

25 //

26 //

Page 3 – TESTIMONY OF LLOYD L. LEATHERS

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

3 If UP had 9-10 or fewer cars to pick up, it would cross Center Parkway twice:
4 once westerly over UP Pass and once easterly over UP Main. If UP had more than 10 cars
5 to pick up, it would cross Center Parkway up to *eight* times: west and east across Center
6 Parkway on UP Pass to grab and pull out the cars being received from TCRY; west and
7 east across Center Parkway on Port Main to temporarily place those cars; west on UP
8 Pass to drop off cars for later pickup by TCRY and back east on UP Main with the
9 locomotive only; west on the Port Main to pick up the cars coming from TCRY and east
10 again to Wallula. This does not include the movements made by TCRY to interchange
11 with UP on UP Pass or to interchange with BNSF Railway on Port Pass. And it does not
12 include train movements by BNSF.

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

14 Currently, about 25% of the time we have more cars delivered to us by TCRY
15 than will fit on the tail track, causing the extra movements over UP's track and the Port's
16 Main. Attached as Exhibits B and C are listings from the last six months of the number of
17 cars delivered to and received from TCRY, sorted by number of cars interchanged. We
18 expect those numbers to increase in the future.

19 **Q. YOU MENTIONED EARLIER THAT THE EXTENSION OF CENTER**
20 **PARKWAY WOULD REDUCE THE CAPACITY OF UP PASS. HOW WOULD**
21 **THAT AFFECT UP?**

22 Currently, about once a month, we have a delivery of over 40 cars to make to the
23 TCRY. If the crossing goes in, we will lose the ability to use 615 feet of the UP Pass (the
24 width of the crossing itself, plus 250 feet on either side of the crossing) and will not be
25 able to handle more than about 30-33 cars on the UP Pass. We will not be able to deliver
26 as many cars as we are now capable of delivering, unless we switch some to the UP Main

1 which mean installation of a derail and more switching for the UP and TCRY.

2 Based on current car counts, at least twice a month we will need the full
3 remaining capacity of the UP Pass to hold the cars we are interchanging with the TCRY
4 and the cars will need to be split on either side of the crossing. When this happens, there
5 will be more work required of the receiving railroad when it picks up the cars the next
6 day. The crossing will be blocked for a considerable period of time while the receiving
7 railroad puts the train together and performs the air brake test while cars are sitting on top
8 of the crossing. The federally-mandated air brake test requires walking both sides of the
9 train to make sure that the brakes set and release properly. Extensive crossing blockage
10 increase the risk of reckless behavior by pedestrians waiting to cross the tracks, e.g., of
11 people attempting to climb through the train.

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

14 **Q. WHAT WILL BE THE IMPACT OF THE CROSSING ON RESIDENTS WEST**
15 **OF THE CROSSING?**

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

25 //

26 //

Page 5 – TESTIMONY OF LLOYD L. LEATHERS

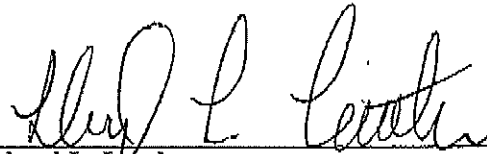
1 Q. WOULD INSTALLATION OF THE CROSSING HAVE A DETRIMENTAL
2 IMPACT ON RAILROAD OPERATIONS?

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

4 DECLARATION

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

8 DATED this 3rd day of November, 2005.

9
10
11 

12 Lloyd L. Leathers

V:\Clients\UPRR\Kennewick\Pleadings\Leathers testimony003.doc

1 CERTIFICATE OF SERVICE

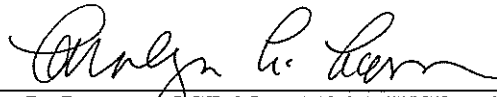
2 I certify that on this 7th day of November, 2005, the foregoing TESTIMONY OF
3 LLOYD L. LEATHERS was served ELECTRONICALLY on the following persons at the
4 following email addresses:

5
6 Commission Records Center – records@wutc.wa.gov

7 Karen Caille - kcaille@wutc.wa.gov

8 Jonathan Thompson – jthompson@wutc.wa.gov

9 John Ziobro - john.ziobro@ci.kennewick.wa.us

10
11 

12 Carolyn L. Larson, OSB No. 77045 WSBA 29016
13 Of Attorneys for Respondent