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January 29, 2024

307851

VIA E-FILING

The Honorable Martin Oberman
Chairman
Surface Transportation Board
395 E St., S.W.
Washington, DC 20423-0001

ENTERED
Office of Proceedings
January 29, 2024
Part of
Public Record

Re: NOTICE OF PASSENGER RAIL ADVISORY COMMITTEE VACANCIES
STB Docket No. EP 774 (Sub-No. 1)

Dear Chairman Oberman:

This letter is in reference to the January 4, 2024 Surface Transportation Board ("Board" or "STB") Notice in the above-referenced proceeding seeking nominations for the Passenger Rail Advisory Committee ("Committee"). It is my honor to nominate North County Transit District ("NCTD") General Counsel Lori A. Winfree to serve on the Committee as a representative from a commuter rail operator who owns and maintains facilities utilized by (i) Amtrak, (ii) another intercity passenger rail operator, and (iii) a rail freight operator. As the former Board Chairman, I cannot think of a person more qualified and suitable to serve in this capacity. She will bring to the Committee a sea of knowledge about passenger rail service in the United States along with the ideal personality to work with others to collaborate on the improvement of these essential operations to the benefit of our country.

Ms. Winfree began work as General Counsel at NCTD, a rail common carrier and owner of the San Diego and Escondido Subdivisions in San Diego County, California, in April 2013.

In her capacity as NCTD's first in-house General Counsel, reporting directly to the NCTD Board of Directors, Ms. Winfree is responsible for District-wide compliance and legal oversight related to the Department of Transportation, Federal Transit Administration and Federal Railroad Administration regulations and provides for the disposition and management of all claims and litigation matters, including issues related to the STB and Amtrak and BNSF freight operations on NCTD's line. Ms. Winfree is responsible for overseeing the procurement of all rail-related operations and maintenance services and negotiating all operations and use agreements with NCTD's tenants, including Amtrak and BNSF Railway, and the State of California Division of Rail and Mass Transit. Ms. Winfree works closely with operations and maintenance staff to ensure safe and timely rail operations and positive coordination with NCTD's rail partners.

As a tenant, Amtrak operates part of the Pacific Surfliner intercity service on NCTD's tracks, operating 26 trips daily between Los Angeles and San Diego. This is Amtrak's second busiest intercity passenger rail corridor in the nation. Metrolink also operates commuter trains from Riverside and Los Angeles counties to Oceanside, California in San Diego County, while BNSF operates four (4) to six (6) daily freight trains on NCTD's rail corridor. In 2017, BNSF moved more than 4.3 million tons of freight on this rail line. This rail corridor on which NCTD operates is crucial in many aspects to the movement of interstate and local passengers and interstate freight, as well as to the nation's defense¹ as this line is the only rail line servicing the Strategic Rail Corridor Network (STRACNET). In other words, Ms. Winfree works with the ideal rail commuter authority for this Committee in terms of working with Amtrak, other commuter authorities, and freight rail to bring first-class rail service to passengers on its rail line. Ms. Winfree also oversees legal matters related to the Railroad Retirement Board and railway labor issues.

In addition to hosting BNSF, Amtrak and Metrolink rail services on its line, NCTD is a public agency charged by the California Legislature with the responsibility of providing public transit services in its areas of jurisdiction. In this capacity, NCTD provides 7 million passenger trips annually (FY23) primarily in North San Diego County and covers a geographic area of approximately 1,020 square miles with an approximate population of 950,000 people. NCTD has an operating budget of \$185 million (FY24) and a Capital Improvement Program of \$59.5 million (FY 24). NCTD operates 30 trains each weekday (32 on Fridays), as well as weekend service. These commuter trains average 2,381 weekday boardings and 813,207 annual boardings (FY23). Ms. Winfree is directly responsible for legal oversight of NCTD's operations which includes COASTER passenger rail and SPRINTER hybrid rail service, as well as BREEZE fixed-route bus, FLEX demand response service, and LIFT ADA paratransit service.

The following is the specific information requested by the Board in its Notice:

(1) Lori A. Winfree, General Counsel, North County Transit District, 810 Mission Avenue, Oceanside, CA 92054, o: 760.966.6532, c: 760.717.0456, email: lwinfree@nctd.org;

¹ See Military Surface Deployment and Distribution Command Comment, *North County Transit District – Pet. for Declaratory Order*, FD 36433 (STB filed July 21, 2022) (“[T]he rail line between Los Angeles and San Diego, including the segment owned by the North County Transit District (NCTD), is important to National Defense. This rail line is part of the Strategic Rail Corridor Network (STRACNET) and is the only rail line connecting the San Diego area to the rest of the country.”)

(2) Ms. Winfree will represent commuter rail operators whose operations use facilities owned and/or utilized by (i) Amtrak, (ii) other intercity passenger rail operators, or (iii) rail freight operators;

(3) a summary of Ms. Winfree's experience and qualifications for the position are attached hereto;

(4) Ms. Winfree is willing to serve as a member of the Committee; and

(5) Ms. Winfree agrees to serve in a representative capacity.

I have had the good fortune to work with Ms. Winfree over the last three years on numerous matters. While her professional qualifications speak for themselves, her positive attitude and genuine kindness make her a perfect fit for this role. Having served on similar STB committees during my time as Chairman, I cannot imagine a better working partner than her. Consequently, I respectfully urge the Board to strongly consider her for this position.

Respectfully submitted,

/s/ Daniel R. Elliott

Daniel R. Elliott

Attachment



Lori A. Winfree
General Counsel



Ms. Winfree began work at the North County Transit District (NCTD), a rail common carrier as designated by the Surface Transportation Board and owner of the San Diego and Escondido Subdivisions in San Diego County, California in April 2013. NCTD directly operates COASTER passenger rail and SPRINTER hybrid rail service, BREEZE fixed-route bus, FLEX demand response service, and LIFT ADA paratransit service, and hosts BNSF, Amtrak and Metrolink on its rail corridor.

In her capacity as NCTD's first in-house General Counsel, reporting directly to the NCTD Board of Directors, Ms. Winfree is responsible for District-wide compliance and legal oversight, and for the disposition and management of all claims and litigation matters. Ms. Winfree also oversees the Comprehensive Compliance and Oversight and Internal Audit Programs, the Civil Rights Program (which includes EEO, DBE, ADA and Title VI) and the Procurement and Contract Administration Division, where she is responsible for overseeing the procurement of all rail-related operations and maintenance services.

Prior to joining NCTD, Ms. Winfree was employed by the County of San Diego (County), Office of County Counsel, where she served as a Senior Deputy County Counsel. In this capacity, Ms. Winfree represented the County in significant legal proceedings, and served as the primary advisory attorney assigned to the Office of Ethics and Compliance and the Department of General Services.

Prior to transitioning into public service, Ms. Winfree served as a Litigation Associate for Nixon Peabody LLP in its San Francisco and Los Angeles offices where she specialized in commercial and product liability litigation related to the aviation industry. Ms. Winfree's other work experience includes working as an Associate Attorney at Mendes & Mount LLP in its aviation group and serving as a Law Clerk Extern for the US District Court, Central District of California.

Ms. Winfree holds both Bachelor of Arts and Juris Doctorate degrees from the University of California at Los Angeles.