

July 8, 2016

Via Electronic Delivery:

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Re: Missouri Central Railroad Company – Abandonment Exemption – in Cass, Pettis, Benton, Morgan, Miller, Cole, Osage, Maries, Gasconade, and Franklin Counties, Missouri, STB Docket No. AB-1068 (Sub-No. 3X)

Dear Diana and Shauna:

The purpose of this letter is to summarize actions taken by Missouri Central Railroad Company ("MCRR") in response to recent complaints made to the Surface Transportation Board ("STB") and the U.S. Fish and Wildlife Service ("FWS") regarding the above referenced project. In particular, allegations were made that trees had recently been cleared in violation of the tree cutting prohibition window that extends from April 1 and October 31 ("Window") to protect certain endangered bat species.

We understand that the allegations involved trees that were cleared sometime before the weekend of May 15. MCRR's parent, Ameren Corporation ("Ameren"), learned about the tree clearing allegations about the same time that a complaint was called into the STB's Office of Environmental Analysis ("OEA"). On Friday, May 20, Diana Wood of OEA called me as MCRR's outside counsel. I immediately called MCRR's salvage contractor's general counsel and asked that they investigate what had happened and, at the same time, reminded the contractor of the serious nature of all conditions imposed by the STB, including the FWS condition prohibiting tree cutting in the summer months.

As part of MCRR's investigation, a MCRR representative visited the site on May 24, 2016 with the adjacent landowner (whom we believe may have been a complainant). Since that visit, we learned that another complaint was filed at the STB by a different landowner and that a complaint was made directly to the FWS. We have confirmed that the second complaint involves the same approximately 0.7 mile section of right-of-way near Meta, Missouri. More specifically, the area starts near the Sugar Creek bridge at Milepost 137 in Miller County and then to the east just crossing over the Osage County line and ending before Milepost 136. The section is approximately 1.5 miles west of the town of Meta.

The call from FWS to Ameren was made to an Ameren employee working on a different unrelated Ameren project in a different Missouri location. Ameren Environmental Services returned the call to Shauna Marquardt at FWS and explained what MCRR had learned about the

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tree clearing. FWS cautioned Ameren regarding tree cutting outside of the window to protect potential bat habitat and agreed with MCRR's plan to formally follow-up with MCRR's contractor. FWS conveyed that roost trees were unlikely in the area and no further action is being taken at this time.

MCRR has followed up with its salvage contractor regarding these issues. The contractor's general counsel has re-committed to MCRR that tree cutting will not occur outside of the Window. The contractor has agreed to add a review of the key STB-imposed salvage conditions, including the FWS condition, on a once a week basis as part of the contractor's daily safety briefing.

MCRR and Ameren are sensitive to the fact that some adjacent landowners do not want the future trail to be built by the Missouri Department of Natural Resources ("MDNR") after the right-of-way is conveyed to MDNR under the National System Trails Act ("Trails Act"). Any future work on the trail after transfer under the Trails Act is not subject to the STB's jurisdiction and will be carried out solely under MDNR direction. Nevertheless, MCRR understands that some landowners in the area view the salvage project and the separate future trail project as the same action impacting their adjacent land or land held by MCRR via easements granted more than 100 years ago. The project has been very positively received by MDNR and the state biking organizations but due to some expected objections of some adjacent landowners, MCRR and Ameren will continue its efforts to reach out to the communities and Ameren is in the process of establishing a hotline and website for citizens to gain additional information on the salvage project and ultimate transfer to MDNR.

MCRR assures the STB and FWS that it takes any complaint very seriously and shares the expectations of the STB and FWS regarding the conditions imposed on the salvage work.

Please do not hesitate to contact the undersigned if you have any questions.

Yours very truly,



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