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**August 09, 2023**

Mr. Nikia Greene  
US EPA Region VIII, Montana Office  
Federal Building  
10 West 15<sup>th</sup> Street, Suite 3200  
Helena, Montana 59626

Mr. Daryl Reed, State Project Officer  
Montana Department of Environmental Quality  
1225 Cedar Street  
P.O. Box 200901  
Helena, Montana 59620-0901

**Re: July 2023 Berkeley Pit Migratory Waterfowl Protection Monthly Report**

Dear Mr. Greene and Mr. Reed:

Atlantic Richfield Company (Atlantic Richfield) and Montana Resources, LLC (MR) (collectively 'the Parties') submit this July 2023 monthly report to satisfy the requirements of the updated **Final Berkeley Pit Waterfowl Protection Plan** (Plan) dated August 4, 2021, which was approved by the Agencies on September 1, 2021.

Observations at the Berkeley Pit (Pit) for waterfowl protection efforts continued during July 2023 in compliance with the Plan. During July 2023, a total of 100 individual observations were conducted, documenting 118 waterfowl with no observed mortalities. Observation Logs and Hazing Logs for July 2023 are included with this report.

Submission of this report does not constitute a statement by Atlantic Richfield or MR concerning responsibility between them for any identified tasks or a statement by Atlantic Richfield or MR that any specific task is required to comply with any existing agreement.

On behalf of the Parties,



Mark Thompson  
Vice President of Environmental Affairs  
Montana Resources, LLC  
600 Shields Avenue  
Butte, MT 59701



Loren Burmeister  
Liability Manager  
Remediation Management Services Company  
An affiliate of Atlantic Richfield Company  
317 Anaconda Road  
Butte, MT 59701

Enclosures: Waterfowl Observation Logs and Hazing Logs from July 2023

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**WATERFOWL OBSERVATION LOGS AND HAZING LOGS FROM JULY 2023**

## Berkeley Pit Waterfowl Observation Log

Name	Date	Time Arrived	Time Departed	Temp (°F)	Weather Conditions	Birds Sighted? (yes/no)	Comments
J. Keele	6/29/23	2110	2120	66.5	P Cloudy	NO	
L ADAMS	6-30-23	0910	0920	61.3	CLEAR	NO	
L ADAMS	6-30-23	1300	1310	75.8	P Cloudy	NO	
L ADAMS	6-30-23	1650	1700	84.9	P Cloudy	NO	
S. Bent	6-30-23	2130	2140	85.3	P-cloudy	NO	
L Adams	7-1-23	0735	0745	57.7	P Cloudy	NO	
L Adams	7-1-23	1200	1210	<del>65.3</del>	cloudy/windy	NO	
L Adams	7-1-23	1615	1625	80.1	P Cloudy	NO	
L Adams	7-2-23	0800	0810	56.3	Clear	NO	
L Adams	7-2-23	1230	1240	69.7	mostly Clear	NO	
L Adams	7-2-23	1655	1705	79.8	clear	NO	
B. Blackick	7-3-23	0730	0740	56.9°	clear	NO	
B. Blackick	7-3-23	1100	1110	66.9°	clear	NO	
B. Blackick	7-3-23	1440	1450	72.1°	P. Cloudy	NO	
B. Blackick	7-3-23	1800	1810	75.7°	P Cloudy	NO	
B. Blackick	7-4-23	0900	0910	58.4°	Cloudy	NO	
B. Blackick	7-4-23	1400	1410	64.2°	M Cloudy	NO	
B. Blackick	7-4-23	1720	1730	68.0°	M Cloudy	NO	
B. Blackick	7-5-23	0755	0805	54.1°	clear	Yes	

## Berkeley Pit Waterfowl Observation Log

Name	Date	Time Arrived	Time Departed	Temp (°F)	Weather Conditions	Birds Sighted? (yes/no)	Comments
B. Blodwick	7-5-23	1230	1240	69.6	P. Cloudy	No	
B. Blodwick	7-5-23	1700	1710	70.90	P. cloudy	No	
B. Blodwick	7-6-23	0800	0810	58.90	P. Cloudy	yes	
B. Blodwick	7-6-23	1230	1240	70.6	M Cloudy	yes	
Blodwick B.	7-6-23	1700	1710	69.40	Cloudy	yes	
D. Guiberson	7-7-23	11:00	11:20	69.3	P. Cloudy	No	
D. Guiberson	7-7-23	15:50	16:00	74.8	Cloudy/overcast	NO	
T. Dunkerson	7-7-23	22:20	22:30	60.4	Clear	NO	
D. Guiberson	7-8-23	8:25	8:30	57.0	Clear	No	
D. Guiberson	7-8-23	12:00	12:10	71.0	P. Cloudy	No	
D. Guiberson	7-8-23	15:40	15:50	82.5	Cloudy	NO	
D. Guiberson	7-8-23	8:25	8:35	59.1	Clear	No	
D. Guiberson	7-9-23	12:50	13:00	78	Cloudy	yes	Hazed by an Eagle
D. Guiberson	7-9-23	15:46	15:56	84	cloudy	NO	
S. Snow	7-10-23	0745	0755	62.2	Cloudy	No	
S. Snow	7-10-23	1405	1415	79.2	P. cloudy	NO	Alt. time dump.
S. Snow	7-10-23	1635	1645	84.2	cloudy	NO	
S. Snow	7-11-23	0800	0810	52.1	Sunny	NO	
S. Snow	7-11-23	1235	1245	72.3	Sunny	NO	

## Berkeley Pit Waterfowl Observation Log

Name	Date	Time Arrived	Time Departed	Temp (°F)	Weather Conditions	Birds Sighted? (yes/no)	Comments
S. SNOW	7-11-23	1535	1545	74.6	Sunny	NO	
D. Guiberson	7-11-23	2000	2010	76.2	Clear	NO	
M. Mariano	7-12-23	15:30	15:40	77.5	clear	YES	
S. SNOW	7-12-23	1600	1610	76.4	Clear	Yes	
S. SNOW	7-13-23	0805	0815	57.9	Cloudy	Yes	
S. SNOW	7-13-23	1230	1240	64.1	Cloudy	NO	Alt. tin Dump
S. SNOW	7-13-23	1540	1550	72.6	Cloudy	NO	
T. Pankerson	7-14-23	0745	0755	61.1	Clear	NO	
T. Pankerson	7-14-23	12:20	12:30	70.8	Clear	NO	
J. Keele	7-14-23	2120	2130	69.3	Clear	NO	
T. Pankerson	7-15-23	0710	0720	61.8	clear	NO	
T. Pankerson	7-15-23	1220	1230	76.2	clear	NO	
T. Pankerson	7-16-23	0815	0825	62.2	clear	NO	
T. Pankerson	7-16-23	1230	1240	82.6	clear	NO	
T. Pankerson	7-16-23	1640	1650	88.8	P-Cloudy	NO	
J. Keele	7/16/23	2000	2010	91.1	P-Cloudy	NO	
J. Anderson	7/17/23	0740	0750	64.7	P. Cloudy	NO	
J. Anderson	7/17/23	1140	1150	75.7	cloudy	NO	Men working on Berkeley North
J. Anderson	7/17/23	1550	1600	82.4	P. Cloudy	NO	Ramp

## Berkeley Pit Waterfowl Observation Log

Name	Date	Time Arrived	Time Departed	Temp (°F)	Weather Conditions	Birds Sighted? (yes/no)	Comments
J. Anderson	7/18/23	0800	0810	58.1	clear	No	men working on North Ramp
J. Anderson	7/18/23	1210	1220	71.6	clear	No	" "
J. Anderson	7/18/23	1620	1630	76.8	clear	No	Men clear of Ramp
J. Anderson	7/19/23	0720	0730	59.3	clear	No	men working on North Ramp
J. Anderson	7/19/23	1130	1140	71.3	clear	No	" "
J. Anderson	7/19/23	1530	1540	78.8	clear	No	Men clear of North Ramp
J. Anderson	7/20/23	0730	0740	66.0	clear	No	
J. Anderson	7/20/23	1140	1150	77.0	clear	No	
J. Anderson	7/20/23	1550	1600	82.5	clear	No	
J. Keele	7/21/23	0820	0830	59.7	Clear	NO	
J. Keele	7/21/23	1220	1230	89.1	Clear	NO	
J. Keele	7/21/23	1610	1620	85.2	Cloudy	NO	
S. Snow	7/21/23	2130	2140	83.2	Cloudy	NO	
J. Keele	7/22/23	0810	0820	64.2	Clear	YES	
J. Keele	7/22/23	1240	1250	87.4	Clear	YES	
J. Keele	7/22/23	1550	1600	90.6	Clear	Yes	
S. Snow	7-22-23	2000	2010	88.7	Clear	NO	
J. Keele	7/23/23	0800	0810	61.5	Clear	NO	
J. Keele	7/23/23	1220	1230	81.1	Clear	NO	

## Berkeley Pit Waterfowl Observation Log

Name	Date	Time Arrived	Time Departed	Temp (°F)	Weather Conditions	Birds Sighted? (yes/no)	Comments
J. Keele	7/23/23	1530	1540	91.6	Clear	NO	
S. Snow	7-23-23	1935	1945	90.1	clear	NO	
S. Snow	7-24-23	0750	0800	67.6	Clear	NO	
S. Snow	7-24-23	1130	1140	86.1	Cloudy	NO	
S. Snow	7-24-23	1600	1610	87.2	Cloudy / Smoky	NO	
M. Ingersoll	7-25-23	0840	0850	88.3	clear	No	
M. Ingersoll	7-25-23	1130	1140	94.8	clear	No	
M. Ingersoll	7-25-23	<del>1620</del>	<del>1630</del>	93.7	clear	No	
J. Keele	7/25/23	2040	2050	72.5	Clear	NO	
J. Fleeger	7/26/23	0725	0735	58.6	clear	yes	
M. Ingersoll	7/26/23	1115	1125	95.9	clear	Yes	Same birds
M. Ingersoll	7/26/23	1550	1600	90.5	clear	No	
J. Keele	7/26/23	2100	2110	71.2	Clear	NO	
M. Ingersoll	7/27/23	0720	0730	58.2	clear	Yes	
M. Ingersoll	7/27/23	1150	1200	73.0	clear	Yes	same birds
S. Snow	7/27/23	1610	1620	69.6	Partly cloudy Windy	NO	
J. Keele	7/27/23	2010	2020	69.9	Cloudy	YES	
S. Snow	7/28/23	0830	0840	59.7	Clear	Yes	Personnel on Ramp
S. Snow	7-28-23	1225	1235	65.3	Cloudy	NO	





## Berkeley Pit Migratory Waterfowl Hazing Log

Date: 7.5.22		Time: 0755		Personnel Involved: B. Blackick			
Species Code	ID Confidence (High, Med, Low)	Number of Birds	Location / Sector	Bird Activity	Hazing Action Taken	Results of Action	Check if deterred from landing
WALL	High	12	BE	on water	10 shots	none / stayed	<input type="checkbox"/>
							<input type="checkbox"/>
							<input type="checkbox"/>

Date: 7.6.22		Time: 0800		Personnel Involved: B. Blackick			
Species Code	ID Confidence (High, Med, Low)	Number of Birds	Location / Sector	Bird Activity	Hazing Action Taken	Results of Action	Check if deterred from landing
WALL	High	9	NW	on water	laser	none / let rest	<input type="checkbox"/>
							<input type="checkbox"/>
							<input type="checkbox"/>

Date: 7.6.22		Time: 1230		Personnel Involved: B. Blackick			
Species Code	ID Confidence (High, Med, Low)	Number of Birds	Location / Sector	Bird Activity	Hazing Action Taken	Results of Action	Check if deterred from landing
EACR	High	11	NW	on water	none	let rest	<input type="checkbox"/>
							<input type="checkbox"/>
							<input type="checkbox"/>

Date: 7.6.22		Time: 1700		Personnel Involved: B. Blackick			
Species Code	ID Confidence (High, Med, Low)	Number of Birds	Location / Sector	Bird Activity	Hazing Action Taken	Results of Action	Check if deterred from landing
same	birds	as	1230		none	let rest	<input type="checkbox"/>
							<input type="checkbox"/>
							<input type="checkbox"/>

# Berkeley Pit Migratory Waterfowl Hazing Log

Date: <u>7/12/23</u>		Time: <u>15:30</u>		Personnel Involved: <u>M. Mavrouis</u>			
Species Code	ID Confidence (High, Med, Low)	Number of Birds	Location / Sector	Bird Activity	Hazing Action Taken	Results of Action	Check if deterred from landing
<u>EAGR</u>	<u>HIGH</u>	<u>4</u>	<u>BE</u>	<u>rest</u>	<u>MR waterfowl 2 shots</u>	<u><del>2 shots</del> stayed</u>	<input type="checkbox"/>
							<input type="checkbox"/>
							<input type="checkbox"/>

Date: <u>7-13-23</u>		Time: <u>0805</u>		Personnel Involved: <u>S. Snow</u>			
Species Code	ID Confidence (High, Med, Low)	Number of Birds	Location / Sector	Bird Activity	Hazing Action Taken	Results of Action	Check if deterred from landing
<u>EAGR</u>	<u>High</u>	<u>12</u>	<u>BE</u>	<u>Resting</u>	<u>3 shots</u>	<u>Stayed</u>	<input type="checkbox"/>
							<input type="checkbox"/>
							<input type="checkbox"/>

Date: <u>7/22/23</u>		Time: <u>0810</u>		Personnel Involved: <u>J. Keele</u>			
Species Code	ID Confidence (High, Med, Low)	Number of Birds	Location / Sector	Bird Activity	Hazing Action Taken	Results of Action	Check if deterred from landing
<u>EAGR</u>	<u>HIGH</u>	<u>17</u>	<u>NW</u>	<u>Resting</u>	<u>8 shots</u>	<u>Stayed</u>	<input type="checkbox"/>
							<input type="checkbox"/>
							<input type="checkbox"/>

Date: <u>7/22/23</u>		Time: <u>1240</u>		Personnel Involved: <u>J. Keele</u>			
Species Code	ID Confidence (High, Med, Low)	Number of Birds	Location / Sector	Bird Activity	Hazing Action Taken	Results of Action	Check if deterred from landing
<u>EAGR</u>	<u>HIGH</u>	<u>17</u>	<u>BE</u>	<u>Resting</u>	<u>NONE</u>	<u>NONE</u>	<input type="checkbox"/>
							<input type="checkbox"/>
							<input type="checkbox"/>

# Berkeley Pit Migratory Waterfowl Hazing Log

Date: 7/22/23		Time: 1550		Personnel Involved: J. Keele			
Species Code	ID Confidence (High, Med, Low)	Number of Birds	Location / Sector	Bird Activity	Hazing Action Taken	Results of Action	Check if deterred from landing
EAGR	HIGH	17	NE	RESTING	6 shots	NONE	<input type="checkbox"/>
							<input type="checkbox"/>
							<input type="checkbox"/>

Date: 7/26/23		Time: 0725		Personnel Involved: J. F. Kege			
Species Code	ID Confidence (High, Med, Low)	Number of Birds	Location / Sector	Bird Activity	Hazing Action Taken	Results of Action	Check if deterred from landing
EAGR	High	2	BE	Resting	handheld laser	none / stayed	<input type="checkbox"/>
							<input type="checkbox"/>
							<input type="checkbox"/>

Date: 7/27/23		Time: 0730		Personnel Involved: M. Ingersoll			
Species Code	ID Confidence (High, Med, Low)	Number of Birds	Location / Sector	Bird Activity	Hazing Action Taken	Results of Action	Check if deterred from landing
EAGR	High	16	BE	resting	laser/USV	none	<input type="checkbox"/>
EAGR	High	21	BE	resting	laser/USV	none	<input type="checkbox"/>
							<input type="checkbox"/>

Date: 7/27/23		Time: 2010		Personnel Involved: J. Keele			
Species Code	ID Confidence (High, Med, Low)	Number of Birds	Location / Sector	Bird Activity	Hazing Action Taken	Results of Action	Check if deterred from landing
EAGR	High	33	BE	Resting	4 shots	none	<input type="checkbox"/>
							<input type="checkbox"/>
							<input type="checkbox"/>

## Berkeley Pit Migratory Waterfowl Hazing Log

Date: 7.31.13		Time: 0700		Personnel Involved: B. Blocker			
Species Code	ID Confidence (High, Med, Low)	Number of Birds	Location / Sector	Bird Activity	Hazing Action Taken	Results of Action	Check if deterred from landing
ENCAR	High	4	MU	on water	laser	none / let rest	<input type="checkbox"/>
ENCAR	High	4	BE	resting			<input type="checkbox"/>
							<input type="checkbox"/>

Date:		Time:		Personnel Involved:			
Species Code	ID Confidence (High, Med, Low)	Number of Birds	Location / Sector	Bird Activity	Hazing Action Taken	Results of Action	Check if deterred from landing
same	birds	as	0720				<input type="checkbox"/>
							<input type="checkbox"/>
							<input type="checkbox"/>

Date: 7.31.13		Time: 1540		Personnel Involved: B. Blocker			
Species Code	ID Confidence (High, Med, Low)	Number of Birds	Location / Sector	Bird Activity	Hazing Action Taken	Results of Action	Check if deterred from landing
ENCAR	High	4	MU	on water	none	let rest	<input type="checkbox"/>
ENCAR	High	8	BE	resting			<input type="checkbox"/>
ENCAR	High	2	LE				<input type="checkbox"/>

Date:		Time:		Personnel Involved:			
Species Code	ID Confidence (High, Med, Low)	Number of Birds	Location / Sector	Bird Activity	Hazing Action Taken	Results of Action	Check if deterred from landing
							<input type="checkbox"/>
							<input type="checkbox"/>
							<input type="checkbox"/>