

Petitioner's Exhibit 8

NORTH SLOPE BOROUGH PLANNING DEPARTMENT

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April 18, 2007

Richard Albright
EPA Region 10, Director, OAWT
Office of Air, Waste and Toxics (AWT-107)
1200 Sixth Avenue
Seattle, WA 98101

Re: Shell Offshore Inc. OCS Air Permit Hearings and Public Comment Deadline

Dear Mr. Albright:

The North Slope Borough (NSB) received the Environmental Protection Agency's (EPA's) notice of public hearing and comment on the Shell Offshore, Inc. Outer Continental Shelf (OCS) Air Permits. This notice states that public comment deadline is May 12, 2007, and that a hearing has been set up in the community of Nuiqsut on May 8, 2007, and that additional hearings may be set up in Barrow and Kaktovik. The purpose of this letter is to request EPA hold these hearings the week of June 4th, as originally recommended by the NSB.

On March 27, 2007, Dan Meyer and Natasha Greaves, EPA staff, contacted NSB management and their consultant to notify the NSB of EPA's intent to hold hearings and to obtain NSB input on the hearing schedule. To avoid schedule delay, the NSB recommended that EPA hold hearings the week of April 2nd, consistent with the timing of the State hearings on the Shell Project. Alternatively, NSB recommended the week of June 4th due to the unavailability of residents during the May subsistence harvest and cultural activities.

The NSB Land Management Regulations and Permitting Supervisor, Gordon Brower, specifically advised EPA against setting up hearings the week of May 7th. May is a very critical subsistence harvest month for marine mammals, including but not limited to the bowhead whale. Shell Offshore Exploration Project is proposed for the very same area that is used for spring and fall marine mammal subsistence hunt. Holding hearings in May is not productive, because the people that EPA is trying to obtain input from will not be available. By June 1st most of the spring subsistence harvest will be completed and residents will return to the villages to prepare for the later June Nalukutuk celebrations. The week of June 4th NSB management and city employees will generally be back to

work and available to assist EPA with the hearings, and residents will be available to review documents and attend.

The NSB has repeatedly urged the state and federal government to be sensitive to coastal communities and Native tribes during periods of critical subsistence use and cultural importance. We request that you respect our right to conduct subsistence and cultural activities, which are critical to sustaining our Inupiat way of life. In turn, we respect industry and the federal governments need to complete permitting processes. By working together to find mutually agreeable timeframes for hearings we can work cooperatively to achieve both our goals.

For example, to ensure the NSB did not delay the Alaska Coastal Zone Management Review of Shell's proposed project, the NSB recently requested the ADNR to accelerate public hearings to early April to avoid conflicts with the subsistence harvest. We also requested EPA to accelerate the timing of their hearings. ADNR worked with NSB to achieve that goal. The public hearings were extremely well attended. For example, the hearing on April 5th in Nuiqsut started with an open house from 4-6pm and the hearing started at 6pm and lasted until after 1am. The same was true of the hearing the next day in Kaktovik. The NSB greatly appreciated the Alaska Department of Natural Resources (ADNR's) respect for our subsistence priorities. We would like to work EPA in the same fashion to coordinate public hearings and comment periods. There is no benefit for EPA to hold hearings when it is well known that attendance will be poor, and the people most directly affected by the proposed project are unable to participate in a public comment process that was designed to protect their subsistence way of life because they are participating in subsistence activities.

On April 16, 2007, we received a call from EPA, requesting NSB's assistance in setting up the hearings because EPA was having great trouble getting in touch with people in the communities to set up the logistics for the hearings. We are not surprised that it is difficult to reach the tribes and communities during the spring subsistence hunt. Therefore, the NSB requests EPA to defer the hearings scheduled for the week of May 7th to the week of June 4th. The NSB also offers the assistance of providing an Inupiat translator for the hearings on the week of June 4th. Our tradition of oral Inupiat language is strong. Many residents in our communities find their own language the best way to provide input. Therefore, we request the opportunity for our residents to provide oral testimony in either their Native Language or in English (if preferred) to ensure all residents have an opportunity to comment on this important project.

We also request the written comment period to be extended until after the June hearings are completed. The complexity of the federal air quality permits, the technical nature of the review documents, and our resident's inability to review this material during the subsistence harvest, inhibits effective public participation. Extending the written comment period until after the hearings will resolve that concern.

We also request that you invite all the communities within the NSB, and tribes to participate in the hearings, either in their communities or by teleconference. Air quality from industrial operations affects the entire air shed and all residents should have an opportunity to comment.

Please contact Martha Falk or Rhoda Ahmaogak at (907) 852-0440 if you would like to discuss this request. Please provide a response to all listed on the distribution for this letter within 7 days.

Sincerely,



Johnny Aiken
Director

Cc: NSB Mayor Edward S. Itta
Karla Kolash, NSB Mayors Special Assistant
Gordon Brower, NSB Land Management Regulations
Taqlik Hepa, NSB Wildlife Department
Bessie O'Rourke, NSB Law Department
Layla Hughes, NSB Law Department
Harvey Consulting, LLC.
City of Pt. Lay
City of Pt. Hope
City of Wainwright
City of Atkasuk
City of Anaktuvuk Pass
City of Barrow
City of Kaktovik
City of Nuiqsut
Alaska Eskimo Whaling Commission
Inupiat Community of Arctic Slope (IRA)
Native Village of Barrow Inupiat Traditional Government
Native Village of Nuiqsut
Native Village of Kaktovik
Village of Wainwright
Point Lay Tribal Council (IRA)
Native Village of Point Hope
Natasha Greaves, EPA Region 10
Dan Meyer, EPA Region 10
Nancy Helm, EPA Region 10