

ORDER NUMBER: 581  
DATED: December 27, 1979

BEFORE THE STATE OF WASHINGTON  
ENERGY FACILITY SITE EVALUATION COUNCIL

In the Matter of the Amended	)	
Application No. 76-2 of the	)	ORDER ALLOWING INTERVENTION
	)	BY THE MAKAH TRIBE
Northern Tier Pipeline	)	OF WASHINGTON
Company	)	
	)	
A Montana Corporation	)	
.....)	)	

THIS MATTER having come on regularly before the Energy Facility Site Evaluation Council at its regular meeting of December 27, 1979, upon petition by Mason D. Morisset, Attorney for the Makah Tribe, for intervention in the proceedings relating to the amended application for site certification by the Northern Tier Pipeline Company, the Council having heard argument pertaining to the merits of intervention by the Makah Tribe and the Council having duly voted to allow intervention by the Makah Tribe,

NOW, THEREFORE BE IT HEREBY ORDERED By the Council that the Makah Tribe of Washington, an Indian Tribe duly recognized by the United States of America organized under and pursuant to the Indian Reorganization Act, Section 16, of June 18, 1934, is accorded status as intervenor in the proceeding relating to the amended application for site certification of the Northern Tier Pipeline Company solely as it relates to the impacts upon the treaty fishing right interests of the Makah tribe in those usual and accustomed grounds to include the waters of the Strait of Juan de Fuca to Port Crescent (near Port Angeles) extending out into the ocean to an area known as Swiftsure and south along the Pacific coast to an area intermediate to Ozette Village and the Quileute Reservation, as well as the rivers along the Strait of Juan de Fuca and down the Pacific shore bordering the reservation. This accordance of intervention binds the intervenor to accept the record of this case as it now stands, and to refrain from any action to delay or interfere with the contested case hearings subsequent conduct. Within the constraints cited above, the intervenor is given all rights of intervention according to Title 463 of the Washington Administrative Code.

Dated at Olympia, Washington and effective this 27th day of December 1979.

WASHINGTON STATE ENERGY FACILITY  
SITE EVALUATION COUNCIL

By Nicholas D. Lewis  
Nicholas D. Lewis  
Chairman

ATTEST:

By William L. Fitch  
William L. Fitch  
Executive Secretary

APPROVED AS TO FORM:

By Kevin M. Ryan  
Kevin M. Ryan  
Assistant Attorney General