



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 155
Seattle, WA 98101-3188

WATER DIVISION

Clean Water Act (CWA) Section 401 Certification

Permittee: Yvonne Desjarlais
NPDES Permit Number: AK0053791
Location: Denali National Park and Preserve
Receiving Water: Eldorado Creek

EPA hereby certifies that the conditions in the National Pollutant Discharge Elimination System (NPDES) permit for Yvonne Desjarlais' suction dredge operation are necessary to assure compliance with the applicable provisions of CWA §§ 301, 302, 303, 306, and 307. See CWA § 401(a)(1), 33 U.S.C. 1341(a)(1); 40 CFR 124.53(e).

The Alaska Statehood Act, Section 11 gives the United States (U.S.) exclusive jurisdiction in the [Denali National] Park "as now or hereafter constituted." Since the U.S. has exclusive jurisdiction within Denali National Park and Preserve, EPA is the permitting authority for this facility. According to 40 CFR 121.13(a): "Certification by the Administrator that the discharge from a proposed project will comply with water quality requirements is required where no state, tribe, or interstate agency has authority to give such a certification." As such, EPA is also the certifying authority

/s/ February 4, 2021
Daniel D. Opalski
Director