

DEQ Individual 401 Water Quality Certification Eportal Instructions

The Clean Water Act Section 401 Certification Rule (40 C.F.R. § 121) requires state water quality certifications prior to the issuance of federal permits and licenses to ensure that proposed projects will not violate state water quality standards. Any 401 water quality certification request submitted to DEQ is required to meet the procedures and conditions of the Certification Rule. The Section 401 Certification Rule also includes specific application components (40 C.F.R. § 121.5 (b)) to be considered a complete request.

Project proponents may apply for an individual 401 water quality certification request to DEQ using eportal. Eportal has been designed to include all required application components in a fill in the blank format. We hope that this option will make the application process easier for you. We will also continue to accept applications received via U.S. Postal Service.

How to get started:

1. You will need to register online at <https://eportal.adeq.state.ar.us/>
 - a. Once you have completed the registration process, a verification email with a confirmation code will be sent to the email address you listed during registration.
 - b. Once you receive the email, you will need to enter the confirmation code on the registration screen.
 - c. Failure to complete the validation process will render your registration incomplete. If this occurs, you will not be able to submit any requests until this process has been completed.
2. You will need to apply for an electronic signature
https://eportal.adeq.state.ar.us/webfiles/ADEQ/ADEQ_ElectronicSignatureAgreement.pdf

After completing the registration and the electronic signature process, you will be able to submit your Individual 401 request.

How to submit a request:

1. You will sign in using the email and password that you listed during the registration process.
2. Click the “Form Finder” button in the left menu or the “Finder” button in the top menu bar.
 - a. Type Individual 401 in the box above the words “Recommended Forms”.
 - b. Recommended forms will appear in a list.
 - c. Click on the Individual 401 form.
3. You will then click the “Begin Form Entry” button at the bottom of the webpage.
4. If you are submitting a new request, select New from the drop down menu and click Next Step.
5. Click Next Section-General Information button at bottom of the page.
6. Enter the name of the applying organization. (Often third parties submit request on behalf of their clients. If you are a consulting firm applying for an Individual 401 on behalf of another entity or individual, please list that name here.)
7. Enter the physical mailing address.
 - a. This is the address for the point of contact for this project. This address needs to have a mail receptacle that can receive mail from the U.S. Postal Service. This can be a physical home or business address or a post office box.
 - b. Please be sure to include a valid telephone number and email address for DEQ staff to use if they have any questions or problems with your application.

- c. Please note that the information you provided during the registration process will automatically populate this part of the form. If you are doing a request that needs to be mailed to another address, please be sure the correct information is entered here prior to submitting the request.
 - d. Once this is complete, click the Next Section-Site Information button.
8. Enter complete site information
 - a. Here you will enter the site information and list additional permits for the project.
 - i. Fill in each blank. You will be asked for the Corp permit number and project manager this 401 is associated with. Also list all other permits this project has required including state and local permits.
 - ii. Thoroughly describe the work to be done. If your description is not complete, DEQ staff will need to contact you to get more information, causing a delay in processing your request.
 - iii. Describe potential discharge (possible sediment runoff or entry into the water) associated with this project and means proposed to manage any potential discharge. This may include proposed Best Management Practices. If your project is not expected to have discharge, describe that here.
 - b. Attach site maps and supporting documentation.
 - i. Submit maps that reflect where the water impacts will be.
 - ii. When possible, layer the construction project layout on a Google Earth image of the work area. This will allow us to see exactly how the project is designed, and we can better determine the water impacts that may result from it.
 - c. Once you have completed uploading all of your maps and supporting information, click the Next Section button.
9. Enter the affected waterbodies.
 - a. This is where you will enter the names of the streams and lakes and designations for any unnamed tributaries in which the instream activity will occur. If more than one waterbody will be impacted during the course of your project, click the add new affected waterbodies button at the bottom to list additional streams.
 - b. Include the GPS coordinates for your worksite. If you don't have the coordinates, use Google Earth to find them.
 - c. Once you have completed entering this information you will click the Next Section button.
10. Carefully review all the information you have entered. When you are assured that everything is accurate and you are ready to proceed, click the Next Step button.
11. You will be asked to confirm that the information you entered is accurate and true also that this is your 401 certification request. Then click Next Section-Review. This step allows you to review the form to confirm the form is populated completely and accurately, prior to certification and submission.
12. You will not be charged for Individual 401 Certification request.
13. You will need to email a PDF copy of this Individual 401 request to your Corp project manager (if known) and ceswl-regulatory@usace.army.mil. Maps and attachments are not necessary in this email to the Corp. You should be able to save the PDF copy using eportal.
14. You're done!

If you have any questions or concerns, email Jim Wise (instreamactivityinfo@adeq.state.ar.us) or call at 501-682-0663.

Additional information about the Arkansas 401 program can be found at <https://www.adeq.state.ar.us/water/planning/instream/>