

## **DNR Meeting at Jefferson City, MO**

**April 4, 2023**

### **Attending:**

**DNR:** Charles Harwood, Jaime Rizo, John Hoke, Michael Abott

**Forbes:** Steve Ferrell, President Becky Cook, Vice President Russ Giudicessi, ECC Cory Cook, ECC

1. The new rule is expected to be completed by spring 2024. Possibly in April 2024.
2. The new rule will allow DNR to grant Alternate Determination to Forbes lots.
3. Charles Harwood said all current homes currently have Alternate Determination.
4. DNR stated all of Forbes will eventually fall under Alternate Determination.
5. The question was asked what will happen in the future when there are personnel changes at DNR that may not want to grant AD to a lot and DNR stated at that point a decision could be appealed and precedence stated as a reason for the appeal.
6. The question was asked what happens when a current septic system fails at a home in Forbes and DNR said the issue would be directed to Health and Senior Services and the lot would still have its Alternate Determination status.
7. The question was asked why can't Benton County be granted the determinant of AD based on regulation 206030 and DNR stated a county is only granted if they are as strict or more strict than DNR.
8. A copy of a 1989 Benton County Soil Survey was shown to have been done and the question was if this was done by the state why didn't it already have a model of the soils. DNR stated they now want a more detailed model that is more site specific and gives a bigger picture of the surrounding environmental impact.
9. The issue was noted that building is occurring in Camden county with permits being issued. DNR responded that some counties' planning and zoning commissions are being cooperative and some are ignoring the rules.
10. The question was asked what can DNR do to help with the realtors and developers that are selling lots without disclosing the DNR process and that the lot may not be buildable. Options:
  - DNR stated they have been sending out education outreach materials and presenting to realtor and developer groups.
  - DNR stated they could saturate Benton County Realtors with information
  - DNR stated their level of 'enforcement' is an Administrative Action and DNR has an enforcement group that does bring some cases to court.
11. The question was asked how is ECC supposed to enforce issues related to wastewater treatment on sites when this isn't their area of expertise nor is it a responsibility placed on them in the LOA Covenants. DNR cited a court case and is going to send a brief explaining the case.
12. When a lot is given Alternate Determination this becomes public record. When a wastewater treatment permit is applied for, its approval or denial is also public record. DNR will copy ECC on its approvals of Alternate Determination.
13. The DNR is making a mock application page for Alternate Determination that our owners who want to turn in a build packet can use to start the process at the onsite wastewater treatment permits and get either a "maybe spring of 2024" or "NO" answer from DNR and/or Benton/Camden county. This way the owners can make informed decisions about their property.
14. DNR has grants available for watershed programs that Becky will look into further.