



MISSOURI
DEPARTMENT OF
NATURAL RESOURCES

Mike Kehoe
Governor

Kurt U. Schaefer
Director

January 12, 2026

CERTIFIED MAIL # 7012 2920 0002 0662 7783
RETURN RECEIPT REQUESTED

Forbes Lake of the Ozarks Park
Forbes Lake of the Ozarks Park Land Owners Association
26506 Gardiner Road
Edwards, MO 65326
Via email to president@forbesmo.org

RE: Forbes Lake of the Ozarks Park, Unpermitted, Benton and Camden Counties,
Method of Wastewater Handling and Disposal Determination Supplementary Clarification

Dear Forbes Lake of the Ozarks Park Land Owners Association:

This letter is intended to provide clarity on the Missouri Department of Natural Resources' July 2023 determination and approved path forward for the method of wastewater handling and disposal for use on the properties within the Forbes Lake of the Ozarks Park (Subdivision). This determination was sent by the department to the Forbes Land Owners Association (LOA) Board, in a letter dated July 12, 2023. The department previously issued a clarifying letter dated June 4, 2025; today's letter supersedes and replaces the letter dated June 4, 2025.

In the July 12, 2023, letter, the department determined it would evaluate a 1983 engineering report as if it had been properly submitted at the time, thereby treating the Forbes Lake of the Ozarks Park (Subdivision) as subject to the Residential Housing Development (RHD) Rule, 10 CSR 20-6.030, effective June 26, 1975. The department is not changing that determination in this letter. As explained in the July 12, 2023, letter, the department's determination was that the report would have satisfied the 1975 RHD Rule, and therefore the department will treat the Subdivision as exempt from the current RHD Rule. This exemption is for the primary requirement to construct a centralized wastewater collection and treatment system to serve the wastewater needs of the Subdivision and does not mean that wastewater at the Subdivision is completely exempt from all regulations. And note that although not required, the option for a centralized or clustered/shared wastewater collection and treatment system is still an optional waste treatment method and available to any property owner(s) to pursue as a means for wastewater handling and treatment.

The department has reviewed the submitted 1983 engineering report and hereby approves the method of county-approved individual onsite wastewater treatment systems (OWTS) and the use of individual drinking water wells (to the extent the department has authority over individual drinking water wells under Revised Statutes of Missouri and associated regulations) as proposed in the 1983 engineering report to serve single-family residences built on the individual lots within the Subdivision. As explained in the 1983 engineering report, the recommendations for OWTSs within

the report reflect average conditions, and conditions between lots can vary appreciably; therefore, extreme care in the design and installation location of the individual OWTS and individual drinking water well will be necessary, potentially involving the evaluation of alternative methods of home wastewater treatment as determined by the local county health departments.

Furthermore, as explained in the 1983 engineering report, any OWTS shall be designed and constructed in compliance with the established criteria of the department; the Missouri Department of Health and Senior Services; and the local county health department, and any system deviating from the criteria established within the 1983 engineering report shall be recommended by a duly registered engineer in the State of Missouri, approved by the Forbes LOA and shall be in compliance with the department's criteria and regulations.

The department does not consider the LOA Board directly responsible for the actions of individual property owners or individual property owners' compliance with the Missouri Clean Water Law (MCWL). In an effort to promote sound environmental stewardship practices, the department encourages the LOA Board to maintain the enclosed informational resources and provide them to individual property owners seeking to ensure their property's compliance with the MCWL and local health ordinances and requirements regarding the design, permitting, installation, and maintenance of individual OWTSs. The department also encourages the LOA Board to provide existing and new LOA property owners with contact information for the Benton County Health Department or the Camden County Health Department, regarding questions about proper system maintenance and compliance.

The department also does not consider the LOA Board responsible for the actions of other individuals or entities defined as a developer in State Regulation 10 CSR 20-6.030(1)(A)3.

Due to the high turnover of vacant properties in the Subdivision, developers and property investors must follow the department's requirements under 10 CSR 20-6.030. The department provides the enclosed informational resource (Handout No. 3): (1) to assist developers with the steps for installing a permitted, approvable wastewater treatment system on the property; and (2) to provide developers with the option to instead pass this compliance requirement on to the purchasing party who will be subject to all applicable state and local laws regarding wastewater treatment systems should the purchasing party choose to develop the lot. The property buyer has the option to also pass this requirement on to another subsequent property buyer in this same manner until the property is purchased by a buyer who intends to develop the lot.

Additionally, although not required, the department encourages the LOA Board to work with all property owners in working with the appropriate county Recorder of Deeds offices to record methods of waste handling on each lot with an existing system, as applicable, especially those properties where a clustered/shared wastewater system is installed.

To maintain the exemption from the current RHD Rule, all lots within the Subdivision, including all remaining undeveloped lots in the Subdivision, must adhere to the 1983 engineering report and the determination and method options described herein.

Upon the issuance of this approval letter, the department yields regulatory oversight to the Benton County and Camden County Health Departments, as applicable, to work with the Forbes LOA, and the individual property owners regarding the design, construction, and installation of the individual OWTS and individual drinking water well to serve each lot within

the Subdivision. This letter does not guarantee that the local onsite wastewater permitting authority, or the Missouri Department of Health and Senior Services' Onsite Wastewater Treatment Program will approve the use of an individual OWTS (i.e., septic system) on any lot(s) within the Subdivision.

Property owners within the Subdivision will be responsible for managing the effluent from all OWTSs constructed within the Subdivision so that such effluent shall be handled in such a manner that there is no violation of the MCWL and its regulations.

This letter does not excuse any person from complying with, or from liability for violations of, the MCWL and regulations or any other state or local laws. Any conduct beyond what is described in this letter or contained within the Residential Housing Development Rule, 10 CSR 20-6.030, could result in a violation of the MCWL and regulations.

In summary:

- All properties in the Forbes Subdivision with an individual OWTS installed, or permitted to be installed, or the application process has been started for the permitting and installation of an individual OWTS by the date of this letter, are under the regulatory oversight of either the Benton County or Camden County Health Department.
- All property owners in the Forbes Subdivision may pursue the permitting and installation of an individual OWTS; however, depending on the individual property, site limitations may require engineered or alternative options, or both, as determined by the local health department. Contact either the Benton County or Camden County Health Department, as appropriate, for more information.
- All property owners in the Forbes Subdivision may pursue the permitting and installation of an individual domestic drinking water well. Depending on the individual property, site limitations may require engineered or alternative options, or both. Contact either the Benton County or Camden County Health Department, as appropriate, for more information.
- All property owners have the option to build a single-family residence on their property or leave the property vacant.
- All property owners should contact either the Benton County or Camden County Health Departments, as applicable, and the Forbes LOA Board for information on building on their lot, the permitting and installation requirements for individual OWTSs and individual domestic drinking water wells, and operation and maintenance guidance for OWTSs and drinking water wells.
- Property owners in the Forbes Subdivision who are considering the option of a clustered (shared) OWTS or shared drinking water well should consult the department's Kansas City Regional Office.
- Property owners in the Forbes Subdivision who are considering the option of re-platting their property to make the property 5 acres or larger should contact Benton County or Camden County, as appropriate, for guidance on re-platting individual lots.
- All property owners in the Forbes Subdivision defined as developers (i.e., property investors) must choose to either follow through with the steps listed in the enclosed informational resource for installing a permitted, approvable wastewater treatment system on the property, OR choose to pass this requirement on to the purchasing party who will be subject to all applicable state and local laws regarding wastewater treatment systems should the purchasing party choose to develop the lot.

Forbes Lake Ozark Park
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If you were adversely affected by this decision, you may be entitled to an appeal before the Administrative Hearing Commission (AHC) pursuant to Section 621.250, RSMo. To appeal, you must file a petition with the AHC within 30 days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the AHC. Contact information for the AHC is: Administrative Hearing Commission, United States Post Office Building, Third Floor, 131 West High Street, P.O. Box 1557, Jefferson City, MO 65102; phone: 573-751-2422; fax: 573-751-5018; and website: <https://ahc.mo.gov>.

If you have any questions regarding this correspondence, you may contact Erin Heidolph at Department of Natural Resources, Water Protection Program, Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102-0176; by phone at 573-751-8309; or by email at cwenf@dnr.mo.gov. Thank you.

Sincerely,

WATER PROTECTION PROGRAM



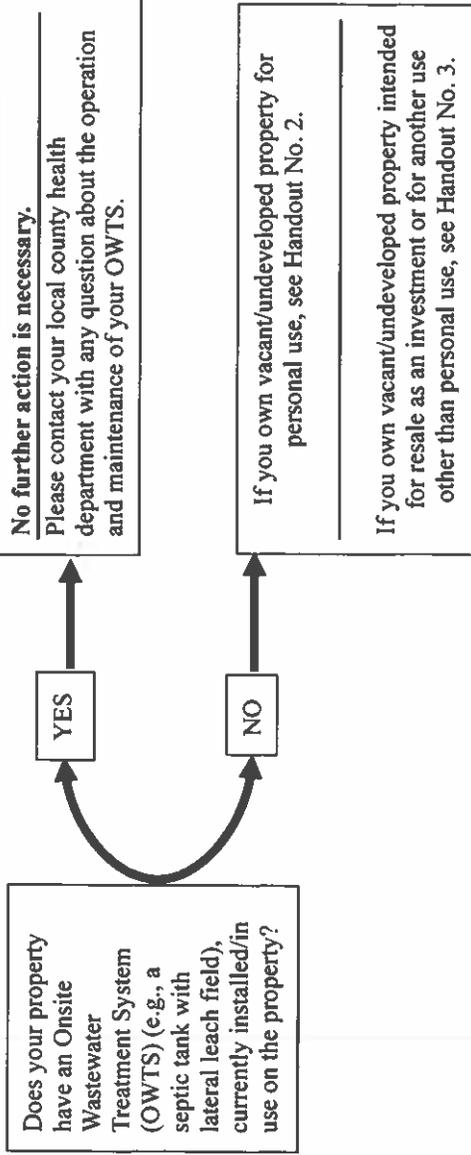
Joe Clayton
Compliance and Enforcement Section Chief

JC/ehc

Enclosures

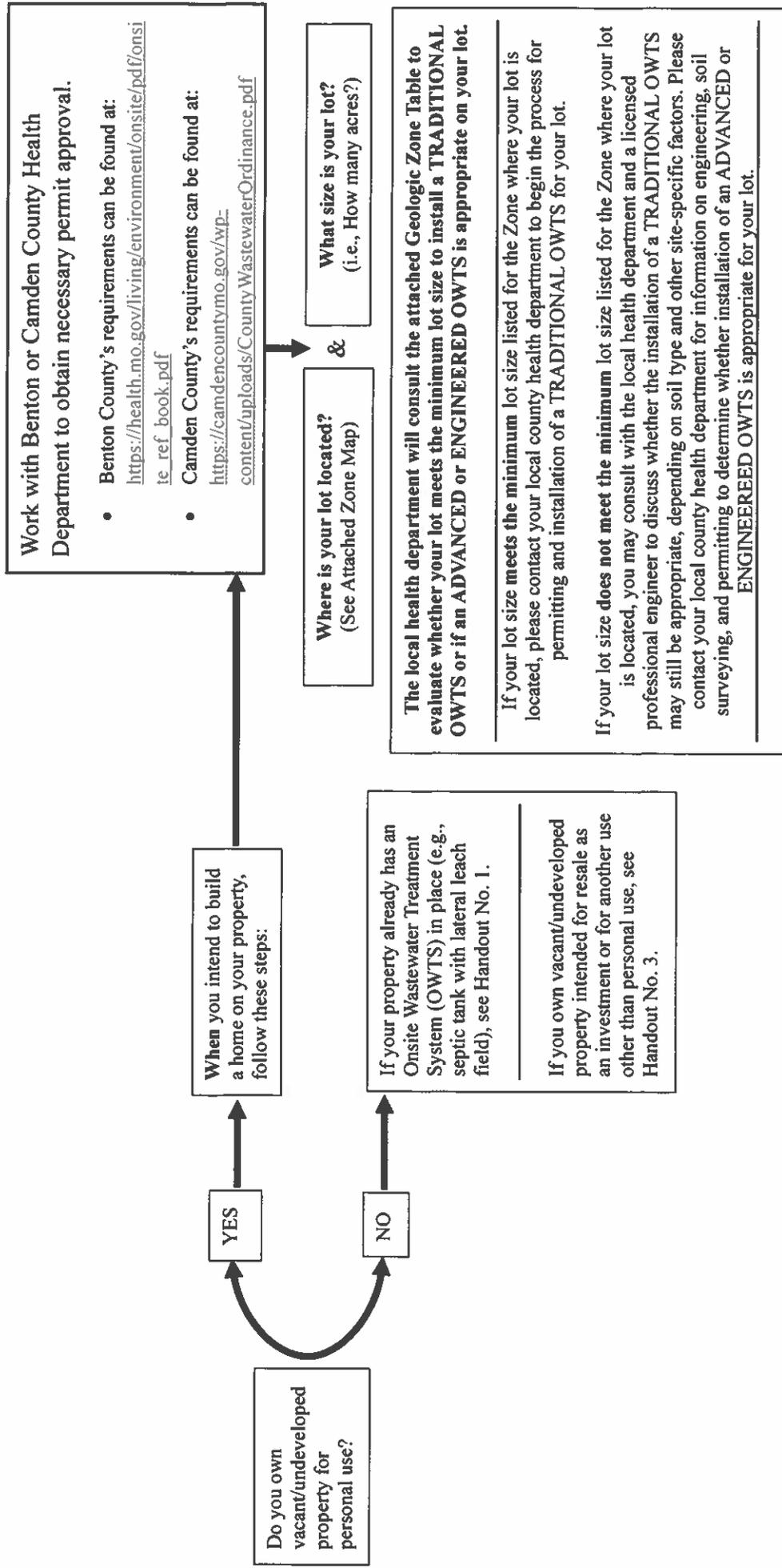
c: Aimee Davenport, Stinson LLP
Betsy Moedritzer, Stinson LLP
Rich Hamby, Benton County Health Department
Jennifer Eblen, Camden County Health Department
John Campbell, Missouri Department of Health and Senior Services
Aaron Winslow, Missouri Department of Health and Senior Services
Mike Carroll, Director, Kansas City Regional Office
Laura Grootens, Unit Chief, Central Field Operations

HANDOUT NO. 1 - FORBES LAKE OF THE OZARK PARK: WASTEWATER INFORMATION FOR PROPERTIES WITH EXISTING WASTEWATER SYSTEMS AS OF January 12, 2026



***These handouts are provided for informational purposes to assist in guiding the onsite wastewater permitting process and do not replace any standards or regulations currently in effect. ***

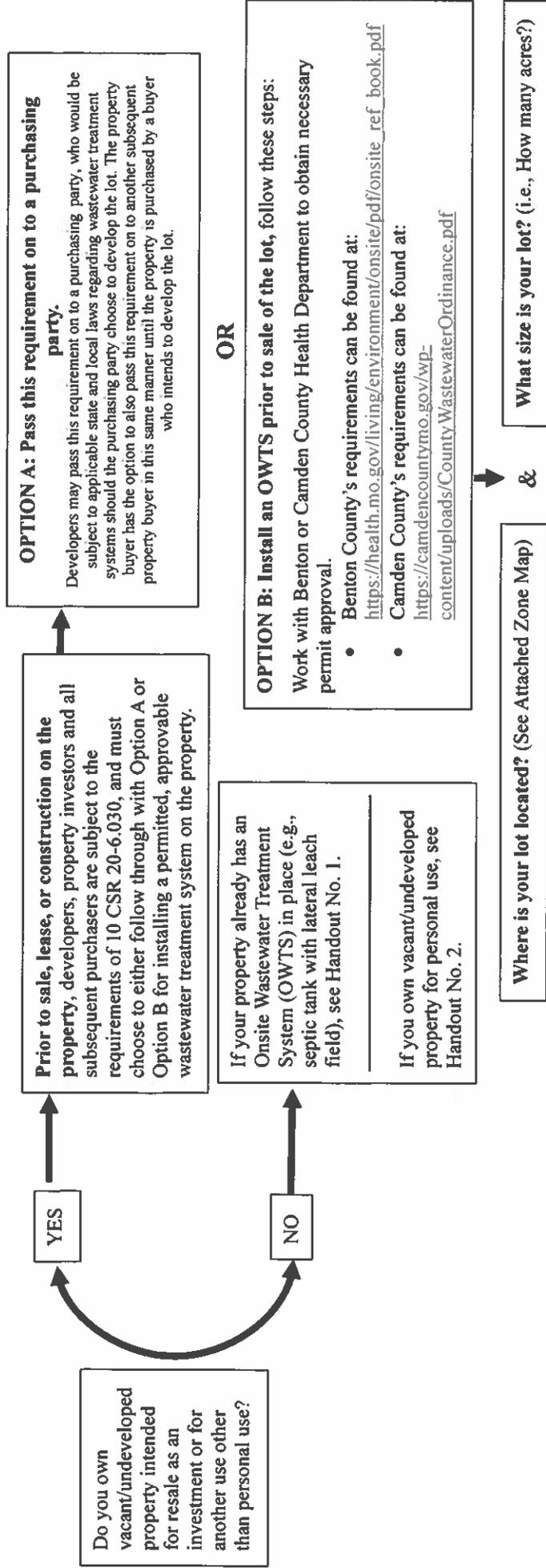
HANDOUT NO. 2 - FORBES LAKE OF THE OZARK PARK: WASTEWATER INFORMATION FOR PRIVATE LOT OWNERS WITH VACANT PROPERTIES



There are alternative options for wastewater handling available to property owners for consideration, such as clustered systems, where neighboring property owners share a wastewater treatment system, or re-platting your lot to 5 acres or larger. If you are interested in potentially using a shared wastewater treatment system, please contact MoDNR. For information on re-platting, or for all other questions about the permitting, installation, or operation and maintenance of an OWTS, please contact your local county health department.

*****These handouts are provided for informational purposes to assist in guiding the onsite wastewater permitting process and do not replace any standards or regulations currently in effect.*****

HANDOUT NO. 3 - FORBES LAKE OF THE OZARK PARK: WASTEWATER OPTIONS FOR DEVELOPERS AND PROPERTY INVESTORS WHO OWN VACANT PROPERTY



The local health department will consult the attached Geologic Zone Table to evaluate whether your lot meets the minimum lot size to install a TRADITIONAL OWTS or if an ADVANCED or ENGINEERED OWTS is appropriate on your lot.

If your lot size meets the minimum lot size listed for the Zone where your lot is located, please contact your local county health department to begin the process for permitting and installation of a TRADITIONAL OWTS for your lot.

If your lot size does not meet the minimum lot size listed for the Zone where your lot is located, you may consult with the local health department and a licensed professional engineer to discuss whether the installation of a TRADITIONAL OWTS may still be appropriate, depending on soil type and other site-specific factors. Please contact your local county health department for information on engineering, soil surveying, and permitting to determine whether installation of an ADVANCED or ENGINEERED OWTS is appropriate for your lot.

There are alternative options for wastewater handling available to property owners for consideration, such as clustered systems, where neighboring property owners share a wastewater treatment system, or re-plating your lot to 5 acres or larger. If you are interested in potentially using a shared wastewater treatment system, please contact MoDNR.

For information about re-plating, or for all other questions about the permitting, installation, or operation and maintenance of an OWTS, please contact your local county health department.

These handouts are provided for informational purposes to assist in guiding the onsite wastewater permitting process and do not replace any standards or regulations currently in effect.



MISSOURI
DEPARTMENT OF
NATURAL RESOURCES

Michael L. Parson
Governor

Dru Buntin
Director

February 14, 2023

Forbes Lake of the Ozarks Park
26506 Gardiner Road
Edwards, MO 65326

RE: Forbes Lake of the Ozarks Park Residential Housing Development

To Whom It May Concern:

From November 30, 2022 to December 6, 2022, four geologists with the Missouri Geological Survey conducted a geohydrologic evaluation of the 12,800 acre Forbes Lake of the Ozarks Park. The property is located east of Warsaw and south of Lake of the Ozarks. The purpose of the onsite evaluation was to observe the geologic and hydrologic characteristics at the proposed residential housing development and to determine potential impacts to the state's water resources in the event of wastewater treatment failure.

The property has been subdivided into three zones based on the observed geologic and hydrologic characteristics. The following table summarizes the minimum lot size required for each zone with the designated water supply. A map showing the three zones follows this report.

Geologic Zone	Water Supply	Minimum Lot Size
Zone 1	Community Public Water Supply	3.6
Zone 1	Multifamily Wells or Individual Domestic Wells with Full Length Grout	4.0
Zone 1	Individual Domestic Wells	4.8
Zone 2	Community Public Water Supply	4.4
Zone 2	Multifamily Wells or Individual Domestic Wells with Full Length Grout	4.8
Zone 2	Individual Domestic Wells	5.0
Zone 3	Community Public Water Supply	5.0
Zone 3	Multifamily Wells or Individual Domestic Wells with Full Length Grout	5.0
Zone 3	Individual Domestic Wells	5.0

Surficial materials on the property have variable organic matter content but are routinely very gravelly silty clay below a thin layer of topsoil. The surficial materials are less than



five feet in thickness across the site, with many locations having zero to less than one foot of soil. These residual materials developed in place from the weathering of dolomite bedrock. They display moderate to high permeability. Due to the thinness and permeability of the surficial materials, the potential for effluent perching on lower permeability bedrock and surfacing is high.

Bedrock is found at the surface across much of the site. The observed bedrock formations are predominantly Ordovician-aged dolomites: The Jefferson City-Cotter Dolomite, the Roubidoux Formation, and the Gasconade Dolomite. Remnant channel sandstones of Pennsylvanian-age are found on some ridgetops. These sandstones are areally limited do no factor into the sitewide hydrology.

The dolomites have low to moderate primary permeability but high secondary permeability where dissolution along fractures, joints, and bedding planes has created karst features. The prevalence of the observed karst development is the basis upon which the site has been divided into geologic zones.

No karst features were identified in Zone 1, and only incipient dissolution, primarily along waterways and the lakeshore, was observed. Zone 2 includes all areas within one mile of observed karst features such as caves and sinkholes. Zone 3 has pervasive karst development. These karst features are conduits through which water or wastewater can rapidly recharge into the drinking water aquifer.

In the event of wastewater treatment failure, the local groundwater as well as the surface waters of area streams and the Lake of the Ozarks may be adversely impacted.

If you have any questions, please feel free to contact me at 573-368-2162 or via email at molly.starkey@dnr.mo.gov. The map of the geologic zones in the development and the completed forms for each zone and water supply are enclosed.

Sincerely,

MISSOURI GEOLOGICAL SURVEY

Molly A. Starkey

Molly Starkey, RG
Environmental Assistance Unit

Enclosures

c: Chuck Harwood, Water Protection Program
Kansas City Regional Office





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Forbes Lake of the Ozarks Park

