

# FAQs

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## NOTICE OF HEARING TO AMEND LAKE LEVEL ORDER BROOKS LAKE

### ***Why am I receiving this notice?***

You are receiving this notice because you own lands within the proposed lake level special assessment district for Brooks Lake.

### ***What is a legally established lake level?***

Part 307 of the Michigan Natural Resources and Environmental Protection Act allows circuit courts to establish lake levels for inland lakes to, among other things, benefit property owners and preserve Michigan's natural resources. Brooks Lake has a court ordered lake level under Part 307.

### ***What is a special assessment district?***

A special assessment district is an area of land designated to receive special assessments for a particular benefit received from certain public projects, like lake levels.

### ***Will this impact the level of Brooks Lake?***

No. The intent of the proposed amendments is **not** to impact the physical lake level that property owners are used to seeing on Brooks Lake.

### ***Why is the lake level order being amended?***

The Newaygo County Drain Commissioner conducted a comprehensive review of the historical lake level orders in Newaygo County and found that some require revisions to be consistent with state law. The lake level order for Brooks Lake was identified as requiring amendments.

Specifically, the proposed amendments would update the legally established lake level to

reflect the physical level property owners are used to seeing on the lake, update the survey datum in the lake level order to the more recent North American Vertical Datum of 1988 (NAVD88), and clarify that the legally established lake level is subject to temporary variations due to things like weather and natural conditions. The amendments would also confirm the special assessment district boundaries used to fund maintenance of the legally established lake level.

### ***What is my assessment amount?***

The court hearing to amend the lake level order will **not** consider lake level special assessments. A separate public hearing process is required to impose any lake level special assessments on property owners.

### ***Do I have to attend the Circuit Court hearing?***

You are not required to attend the Circuit Court hearing; however, it is your right to do so. You may also present testimony and evidence to the Court regarding the proposed amendments to the Brooks Lake—Lake Level Order.

### ***How can I get more information?***

A recorded webinar about the lake level order and the court hearing will be posted at: <https://www.newaygocountymi.gov/departments/drain-commission/lake-level-control-act/>. You may also email [newaygocountyDC@gmail.com](mailto:newaygocountyDC@gmail.com) or call (231) 244-4006 with any questions. Please include your name, address, phone number, and the lake name. We will be glad to answer any questions, and all emails and calls will be returned in the order in which they are received.