

# FAQs

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## NOTICE OF HEARING TO AMEND LAKE LEVEL ORDER NEWAYGO LAKES

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

You are receiving this notice because you own lands within the proposed lake level special assessment district for Newaygo Lakes (including Sylvan, Emerald, Pickeral, and Kimball Lakes).

### ***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. Newaygo Lakes has court ordered lake levels 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 Newaygo Lakes?***

No. The intent of the proposed amendments is **not** to impact the physical lake levels that property owners are used to seeing on Newaygo Lakes.

### ***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 Newaygo Lakes was identified as requiring amendments.

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

reflect the physical levels 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), update the effective dates for the seasonal lake levels, and clarify that the legally established lake levels are 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 levels.

### ***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 Newaygo Lakes –Lake Level Order.

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

A recorded webinar about the lake level order and the court hearing is 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.