

Contact:

Christine Crissman

Executive Director

[231.935.1514 x1](tel:231.935.1514)

ccrissman@gtbay.org

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THE WATERSHED CENTER FILES CLEAN WATER ACT CITIZEN SUIT

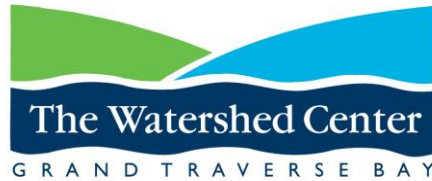
Traverse City, MI, June 7, 2023 – The Watershed Center Grand Traverse Bay, Grand Traverse **BAYKEEPER**[®], Elk-Skegemog Lakes Association, and Grand Traverse Band of Ottawa and Chippewa Indians filed suit against Burnette Foods, Inc., to enforce the Clean Water Act and Michigan Environmental Protection Act. The suit is the result of over a decade of Burnette Foods routinely land-applying wastewater that exceeds their permit requirements and is potentially adversely impacting water quality in the groundwater, wetlands, Spencer Creek, and Elk Lake.

Burnette Foods discharges fruit processing wastewater to the ground through spray irrigation fields under a groundwater permit administered by the Michigan Department of Environment, Great Lakes and Energy (EGLE). Site conditions and Burnette’s overapplication of wastewater routinely lead to this discharge reaching a wetland network that flows into Spencer Creek and empties into Elk Lake, likely impairing the water quality of the wetlands, creek, and lake.

“The Watershed Center works to protect the water quality of our local waterbodies,” said Grand Traverse **BAYKEEPER**[®] Heather Smith. “We cannot stand idle as Burnette’s discharge practices continue to threaten surface and groundwater in this area.”

EGLE documents demonstrate numerous permit violations, exceedances of water quality standards, and direct unpermitted discharges to surface waters. Any actions EGLE has taken to protect surface and groundwater and bring Burnette into compliance with state standards have been insufficient to effectively address the continuing discharges and violations. In November 2022, The Watershed Center Grand Traverse Bay, Grand Traverse **BAYKEEPER**[®], Elk-Skegemog Lakes Association, and Grand Traverse Band of Ottawa and Chippewa Indians sent formal notice to Burnette Foods and EGLE related to these concerns, yet no solution has been found.

“We recognize that Burnette Foods is an integral part of our local community and economy, but protecting and maintaining high-quality water is also critical to this region,” said Executive Director Christine Crissman. “We look forward to working with Burnette Foods and EGLE to



identify and ensure timely implementation of solutions that fully protect water quality in the groundwater, wetlands, Spencer Creek, and Elk Lake.”

The Watershed Center Grand Traverse Bay, Grand Traverse **BAYKEEPER**[®], Elk-Skegemog Lakes Association, and Grand Traverse Band of Ottawa and Chippewa Indians are represented by Great Lakes Environmental Law Center. For a copy of the complaint please contact The Watershed Center at info@gtbay.org.

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About The Watershed Center Grand Traverse Bay

The Watershed Center is a non-profit organization that advocates for clean water in Grand Traverse Bay and acts to protect and preserve its watershed. The Watershed Center blends scientific and policy expertise with education, advocacy, collaboration, and solution-oriented actions to serve as a multi-faceted resource for the community. Learn more at gtbay.org.

About Elk-Skegemog Lakes Association

Elk-Skegemog Lakes Association is a non-profit organization that promotes an understanding and appreciation of the rights and responsibilities of riparian landowners and takes necessary or desirable actions to protect and preserve the environment of the Elk-Skegemog watershed. Learn more at elk-skegemog.org.

About Grand Traverse Band of Ottawa and Chippewa Indians

Grand Traverse Band of Ottawa and Chippewa Indians is a Sovereign Nation that honors their ancestors and strives to empower the wellbeing of their present and future members. Grand Traverse Band members use their usufructuary rights to hunt, fish, trap, and gather across the 1836 Ceded Territory, making it crucial for Grand Traverse Band to protect and restore the species and habitats vital to the continued responsible utilization of these resources. Learn more at gtbindians.org.

About Great Lakes Environmental Law Center

Great Lakes Environmental Law Center is an environmental legal advocacy organization. The Great Lakes Environmental Law Center provides a variety of public education, policy development, and legal services to individuals and organizations to empower those impacted by environmental injustice in Michigan to create comprehensive solutions to environmental issues impacting their health and quality of life and to create systemic change. Learn more at glelc.org.