



**DATE:** February 22, 2023  
**TO:** Members, Senate Education, Health and Environmental Affairs Committee  
**FROM:** Wicomico Environmental Trust  
**RE:** SB 778 – Wicomico County – Seasonal Restaurants – Potable Running Water and Graywater

The Wicomico Environmental Trust (WET) **OPPOSES SB 778** regarding Wicomico County – Seasonal Restaurants – Potable Running Water and Graywater.

This bill is a recently renumbered and renamed version of SB 854, which this Committee declined to report out last year. Unfortunately, the Policy Note misses the fact that, although this bill has been recast to apply for now only to selected restaurant(s) in Wicomico County, it proposes very similar exceptions to important public and environmental health laws and raises the same concerns as before. An earlier version of SB 778 was recently considered on short notice and endorsed by a majority of the Wicomico County Council, notably without the benefit of participation by the County Health Department. WET submits that this Committee made the right judgment last year.

The bill continues to propose a special definition of *graywater* that is inconsistent with the current statewide protections of Article – Environment §9-1112. It fails to acknowledge that water used by patrons for hand-washing, including after use of on-site portable toilets, constitutes sewage that must be handled as such to ensure the protection of public and environmental health.

In addition, although the bill is now captioned *Potable Running Water*, it would, in fact, allow the covered restaurant(s) to serve patrons non-running water from a cistern, in contravention of current state health laws and regulations designed to minimize the risk of waterborne illness.

The application of this bill has now been restricted to Wicomico County, making it even clearer that SB 778 is designed to serve a special interest, a major local political donor. However, this restriction in scope does not address any of the underlying concerns. Approval of this bill would put our public and environmental health at risk, permit the proliferation of food service facilities and bars in inappropriate locations throughout the County, and inspire similar demands throughout the State.

For all of these reasons, we respectfully ask that the Committee give an **UNFAVORABLE** report.

Sincerely,

A handwritten signature in cursive script that reads 'Madeleine B. Adams'.

Madeleine Adams  
President

[madeleine@wicomicoenvironment.org](mailto:madeleine@wicomicoenvironment.org)

**The Wicomico Environmental Trust champions a healthy environment for all.**

*The Wicomico Environmental Trust is a public charity recognized as tax exempt by the IRS under Section 501(c)(3). A copy of the current financial statement of Wicomico Environmental Trust, Ltd., is available by writing to WET, P.O. Box 2311, Salisbury, MD 21802. Documents and information submitted under the Maryland Solicitations Act are also available, for the cost of postage and copies, from the Maryland Secretary of State, State House, Annapolis, MD 21401, (410) 974-5534.*