



# SIERRA CLUB

## MARYLAND CHAPTER

Sierra Club Maryland Chapter

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July 1, 2026

Transmitted via email to [ICESustainability@ice.dhs.gov](mailto:ICESustainability@ice.dhs.gov)

The Honorable Markwayne Mullin  
Secretary  
Department of Homeland Security  
300 7th Street, SW  
Washington, D.C. 20528

The Honorable David Venturella  
Acting Director  
U.S. Immigration and Customs Enforcement  
500 12th Street, SW  
Washington, D.C. 20536

RE: Sierra Club Maryland Chapter Comments on Proposed ICE Detention and Processing Facility in Williamsport, Maryland Near Hagerstown

Dear DHS Secretary Mullin and ICE Acting Director Venturella,

The Sierra Club Maryland Chapter has reviewed the Department of Homeland Security (DHS) public feedback request<sup>1</sup> on potential environmental issues or concerns regarding the proposed conversion of an 825,000-square-foot warehouse into a 1,500 bed immigration detention and processing facility in Williamsport, Maryland. We agree that the National Environmental Policy Act (NEPA) applies to the proposal, as well as other laws and regulations. While we appreciate this opportunity to provide our views on the project, this comment period does not discharge the U.S. Immigration and Customs Enforcement (ICE)'s obligations under NEPA to also provide an opportunity for public review and comment on any draft environmental impact document that is prepared.

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<sup>1</sup> Early Notice and Public Review of a Warehouse Renovation - Hagerstown MD, June 2026; [https://www.dhs.gov/sites/default/files/2026-06/26\\_0601-crsc0-nepa-ice-scopting-hagerstown-md.pdf](https://www.dhs.gov/sites/default/files/2026-06/26_0601-crsc0-nepa-ice-scopting-hagerstown-md.pdf); [https://web.archive.org/web/20260629140049/https://www.dhs.gov/sites/default/files/2026-06/26\\_0601-crsc0-nepa-ice-scopting-hagerstown-md.pdf](https://web.archive.org/web/20260629140049/https://www.dhs.gov/sites/default/files/2026-06/26_0601-crsc0-nepa-ice-scopting-hagerstown-md.pdf); The document gives a due by July 1, 2026 date which means comments can be submitted before or on that date.

Based on a review of DHS's instruction manual, the environmental assessment that DHS has proposed will be inadequate and a full environmental impact statement will be required. As three Maryland environmental agencies have warned,<sup>2</sup> the impacts of this project would be significant and adverse to Williamsport, Hagerstown, and neighboring areas, and likely catastrophic with regard to its impacts on sewerage infrastructure and surrounding waterways. The number of detainees and workers needed to manage the facility would number about the same as the entire town of Williamsport, which has a population of approximately 2,000. This doubling of people in the town would overwhelm the infrastructure and resources of this uniquely historic town and community, as well as repel the tourism on which it depends. For these reasons and more, any environmental document prepared should include a detailed discussion of alternative sites, as required by NEPA. DHS's unlawful purchase of the site without undertaking the required consideration of alternatives cannot be a factor in favoring this site over other, more suitable sites. Given the insurmountable evidence regarding the significant impacts of this site, we urge DHS to immediately cancel its plans for a warehouse immigration detention and processing facility in Williamsport.

### **Project Information**

This Williamsport project in Western Maryland is part of a larger effort of the Trump Administration to renovate industrial warehouses to hold more than 92,000 immigrant detainees at a time.<sup>3</sup> As noted in the public feedback request:

The Proposed Action will consist of interior, exterior, and site improvements at an existing warehouse property in Hagerstown, MD. Interior modifications to the warehouse will be designed to accommodate up to 1,500 individuals. The facility will include up to six separate secure recreation yards, a visitor waiting area, two cafeterias, one kitchen and food preparation area, three multi-purpose rooms, a health services room, and laundry facilities. Staff amenities may include training rooms, an indoor firing range, and office space to support operational and administrative functions.

As part of the proposed undertaking, ground disturbance will occur for waterline, sanitary sewer and utility improvements, including the installation of a 750,000-

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<sup>2</sup> Maryland departments send letter to DHS about ICE facility concerns, WYPR; March 6, 2026, <https://www.wypr.org/wypr-news/2026-03-06/maryland-departments-send-letter-to-dhs-about-ice-facility-concerns>.

<sup>3</sup> ICE plans to hold 80,000 immigrants in warehouses across the country, The Washington Post, December 24, 2025, <https://perma.cc/LSH6-FJKQ?type=image>. More recently on February 13, 2026, Immigration Officials Plan to Spend \$38.3 Billion to Boost Detention Capacity to 92,000 Beds, <https://www.usnews.com/news/us/articles/2026-02-13/immigration-officials-plan-to-spend-38-3-billion-to-boost-detention-capacity-to-92-000-beds>.

gallon onsite domestic water storage tank and booster pump system to minimize operational impacts to the local distribution system. Additional expected ground disturbance activities include fiber-optic and telecommunication cabling, installation of new freestanding light poles, installation of a new generator, pier installation for recreational area awnings and basketball hoops, perimeter security fence installation, and installation of a prefabricated guard shack. Ground disturbance associated with the Proposed Action is anticipated to be primarily temporary, localized, and linear in nature, consisting of trenching and other mechanical excavation measures. A Wastewater & Domestic Water Infrastructure Assessment was conducted. Exterior modifications are anticipated to occur in three phases for the sewer and domestic water supply parameters. Some modifications may include the installation of a 750,000-gallon storage tank for domestic water, potentially expanding the off-site lift station servicing the facility, procuring additional equivalent dwelling units (EDUs) from Washington County, and upsizing onsite sewer and domestic water service lines.<sup>4</sup>

There are numerous items in this description that raise questions about the footprint of this action and the action's impacts. The description includes: "potentially expanding the off-site lift station servicing the facility, procuring additional equivalent dwelling units (EDUs) from Washington County, and upsizing onsite sewer and domestic water service lines."<sup>5</sup> It is unclear to what extent onsite sewer lines could be upsized, given that Maryland's top environmental agency issued a binding order in April barring Washington County from expanding its sewer system, finding that existing infrastructure cannot handle the waste generated by a proposed federal immigration detention center. The order stipulates that until Washington County submits a comprehensive revision of its sewerage plan and receives state approval, it may not "allocate, authorize, or facilitate any increase in sewage flow" and may not "install, modify, or extend any portion of the sewerage system."<sup>6</sup>

In regard to the footprint of this project, the 825,000-square-foot warehouse was purchased in cash in January 2026 for \$102.4 million.<sup>7</sup> It is also important to note that converting the warehouse to an immigrant detention and processing facility would require approximately \$350 million for widening Interstate 81 and approximately \$30 million to upgrade the county's regional airport. Moreover, it would require significant investment to the facility's pump station to move sewerage and wastewater to a higher

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<sup>4</sup> Early Notice and Public Review of a Warehouse Renovation - Hagerstown MD, June 2026.

<sup>5</sup> Early Notice and Public Review of a Warehouse Renovation - Hagerstown MD, June 2026.

<sup>6</sup> Maryland Orders Washington County to Freeze Sewer Expansion for Planned ICE Detention Center, April 13, 2026, <https://www.projectsaltbox.com/p/maryland-orders-washington-county>.

<sup>7</sup> Homeland Security buys Washington County warehouse for potential ICE facility - LocalNews1.org, January 29, 2026, <https://localnews1.org/homeland-security-buys-washington-county-warehouse-for-potential-ice-facility/>.

elevation since it has nearly exhausted its capacity. This is known because a day after Washington County Commissioners approved the resolution for the facility, County Administrator Michelle Gordon wrote to Homeland Security Secretary Kristi Noem with these requests tied directly to its cooperation on the detention facility.<sup>8</sup> These cumulative impacts should be evaluated in DHS's NEPA document and must certainly be considered as part of the Section 106 review to be undertaken by DHS.

A relocation of Wright Road also appears to have been an ancillary activity "functionally related to" the detention center, whose impacts should be considered by DHS in any environmental document prepared. The Maryland Historical Trust ("MHT") has reopened the Section 106 process in order to take into account these broader impacts which were not previously disclosed by DHS associated with these related projects.<sup>9</sup>

All these points underline that this project does not just involve the proposed construction to convert a warehouse to a detention facility; to the contrary, it is a major project with many implications and a footprint much larger than just the warehouse.

It is important to better understand the location of this project. Williamsport, Maryland is a historic town in Washington County, known for its location on the C&O Canal and Potomac River, rich Civil War history, and small-town charm. Founded by Revolutionary War General Otho Holland Williams in 1787, it was once considered as a potential U.S. capital by George Washington and served as a vital port on the C&O Canal, featuring historic locks, aqueducts, a railroad lift bridge,<sup>10</sup> and a well-preserved historic district. Today, it's a popular destination for outdoor activities like biking and hiking the towpath, with local shops, restaurants, and parks. Its population was approximately 2,083 as of the 2020 census.

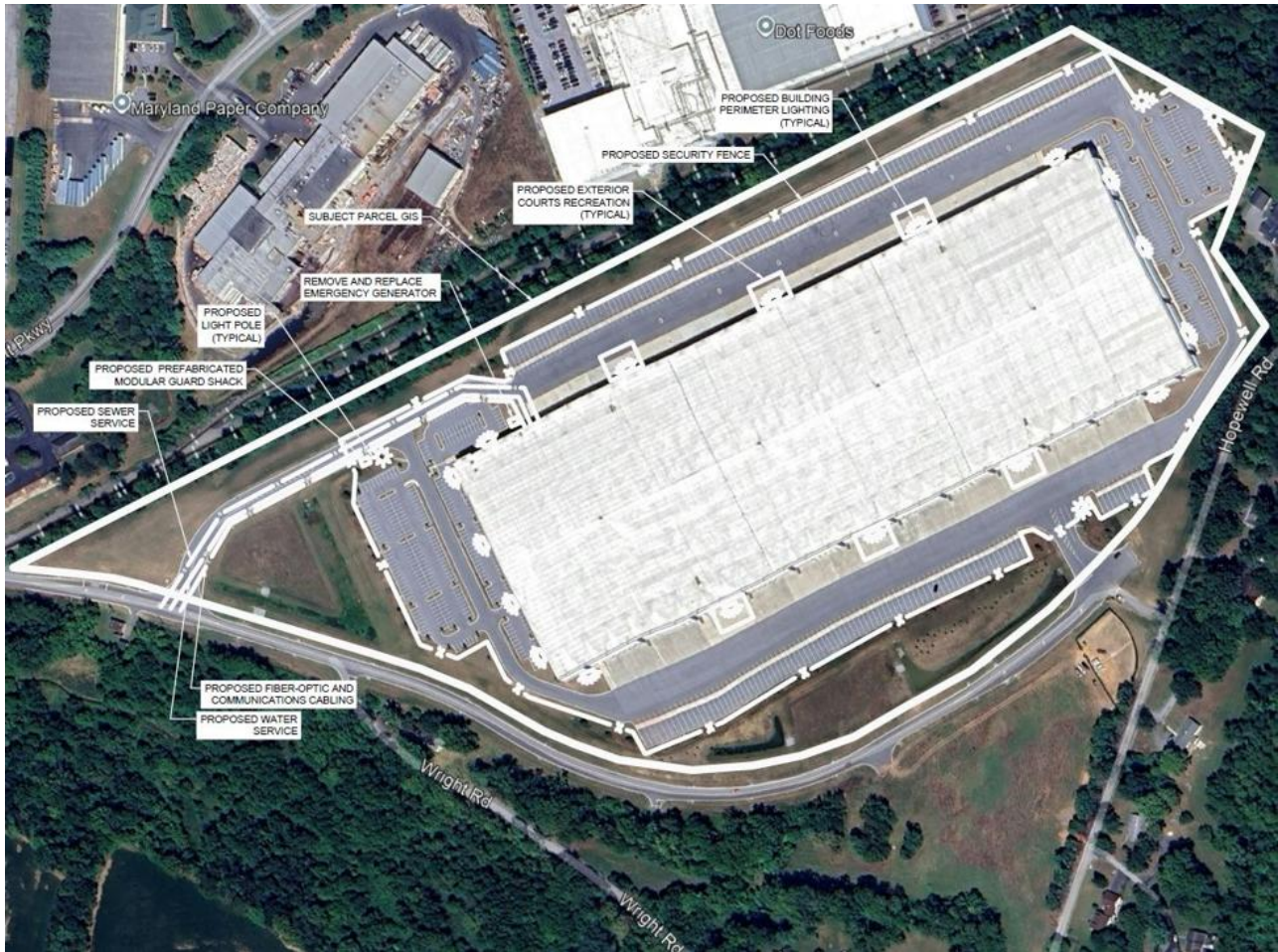
DHS's request for comments states: "The warehouse is located at 10900 Hopewell Road, Hagerstown, in Washington County, Maryland (alternate address: 16220 Wright Road, Williamsport, MD 21795)." It provides the following image, calling it the Hagerstown Site Plan.

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<sup>8</sup> \$381 Million. That's What a Maryland County Wanted for Supporting an ICE Warehouse, March 17, 2026, <https://www.projectsaltbox.com/p/381-million-thats-what-a-maryland>.

<sup>9</sup> Maryland Reopens Review of Hagerstown Detention Center After Residents Flag Road Project, <https://www.projectsaltbox.com/p/maryland-reopens-review-of-hagerstown>.

<sup>10</sup> Railroad Lift Bridge – C&O Canal Trust, <https://www.canaltrust.org/pyv/railroad-lift-bridge/>.



Hagerstown Site Plan

The location given by DHS for this project, and the reference to it as a “Warehouse Renovation ... in Hagerstown, MD” ignores the fact that the warehouse is actually in Williamsport, a very small town that lacks infrastructure to support this project. For comparison, Hagerstown has a population of 44,000, while Williamsport has a population of only about 2,000.

### Sewerage Infrastructure and Wastewater Constraints

Multiple detention facilities have faced NEPA challenges, including “Alligator Alcatraz” in South Florida, which a federal judge recently ordered must be shut down, and detention centers in Michigan, New Jersey, and Arizona.<sup>11</sup> The federal government is in a lawsuit over a warehouse-to-detention center conversion in New Jersey that is similar in many respects to Maryland’s situation. New Jersey cited the federal government for

<sup>11</sup> Arizona Sues to Block ICE Detention Warehouse, Becoming Fourth State to Challenge Reengineering Initiative, April 24, 2026, <https://www.projectsaltbox.com/p/arizona-sues-to-block-ice-detention>.

violating NEPA by failing to prepare an environmental impact statement or coordinate on environmental harm reduction with state and local agencies. New Jersey noted the facility would overwhelm the wastewater system, damaging local lakes and rivers.

The proposed Williamsport facility in Maryland would also overwhelm the wastewater system and risk damage to waterways. Maryland's complaint for declaratory and injunctive relief summarizes predictable adverse impacts, stating: "Converting the Williamsport warehouse into a massive immigration detention facility will have predictable impacts on the environmental, economic, and public health and safety interests of the State of Maryland. Among other things, these actions are likely to harm the state's natural resources and environment — including a waterway that is a tributary to the Potomac River and important habitat to state-protected species." These and other harms are further detailed in Maryland's complaint, which we incorporate by reference, principally with respect to pages 20-24.<sup>12</sup>

Judge Brendan Hurson of the U.S. District Court for Maryland stated with regard to the complaint that DHS had not addressed key requirements of NEPA and that, "Had D.H.S. done so, it likely would have found that the rapid transformation of a cargo-processing facility with four toilets and two water fountains into a temporary residence and workplace for hundreds, if not thousands, would jeopardize the health and safety of the surrounding ecosystem in myriad ways, most notably through the likely overtaxing of the sewer system."<sup>13</sup>

Maryland and the Potomac River are no strangers to what a catastrophic sewerage failure looks like, having this very year experienced one associated with infrastructure overseen by the federal government (the U.S. Environmental Protection Agency). Starting on January 19, 2026, a catastrophic pipe failure caused over 243 million gallons of raw sewage to pour into the Potomac River and onto land in Maryland. Only after delay did the federal government take responsibility and put in place measures to address and mitigate the disaster to the extent possible.<sup>14</sup> That turned swaths of Maryland land, including national parkland, into a public health hazard and did untold harm to the river water quality, surrounding species, shore residents, and those who recreate in the area.

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<sup>12</sup> Maryland v. Noem, Case number 26-733 (District of Maryland).pdf, February 23, 2026, <https://oag.maryland.gov/News/Documents/pdfs/Maryland%20v.%20Noem%2c%20Case%20number%2026-733%20%28District%20of%20Maryland%29.pdf>.

<sup>13</sup> ICE Warehouse Plan Faces Delay Over Lack of Environmental Reviews - The New York Times, April 27, 2026, <https://archive.is/oqZBx>.

<sup>14</sup> How the Potomac sewage spill inflamed Trump v. Moore - The Banner, February 20, 2026, <https://www.thebanner.com/community/climate-environment/potomac-sewage-spill-trump-moore-H5PTHIUFGFV5AZ23OLACS24V4/>.

It is particularly alarming that the federal government would be pushing those limits again in Maryland, against the clear warning by Maryland’s top environmental agency that “The sewer pipe will overflow and/or backup” due to operating the facility,” which would “harm the environment and waters of the State” and “create an immediate health hazard and damage real and personal property.”<sup>15</sup>

This is a widely known problem. A recent Wall Street Journal article about similar facilities elsewhere states: “The [vacant warehouse] properties largely weren’t zoned for detention and didn’t have working plumbing to support large detainee populations.”<sup>16</sup>

In its amicus brief on behalf of Potomac Riverkeeper Network, Hagerstown Area Religious Council, and Washington County Indivisible, Earthjustice says that incarcerating 1,500 people in a warehouse originally built for cargo storage and equipped with just four toilets would greatly increase the amount of wastewater going into the local sewage system and would be “very likely [to] cause sewage overflow into local rivers including the Potomac. Just a few months ago, a similar overflow of sewage into the Potomac from a different source led D.C. to declare a state of emergency due to E. coli, MRSA, and other bacteria.”<sup>17</sup>

Sewage and wastewater impacts remain one of the central concerns raised by the State’s lawsuit against DHS.

It is our understanding that the water and sewer issues render the site inappropriate under the Immigration and Nationality Act (INA) — both because the facility lacks adequate water and sewer infrastructure, and because the INA requires ICE to consider existing detention facilities as alternatives before acquiring new property for this purpose. These decisions, and the agency completing its review in a single day and

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<sup>15</sup> Maryland Orders Washington County to Freeze Sewer Expansion for Planned ICE Detention Center, April 13, 2026, <https://www.projectsaltbox.com/p/maryland-orders-washington-county>.

<sup>16</sup> DHS to scrap use of seven warehouses for detention centers, June 18, 2026, <https://www.msn.com/en-us/news/us/dhs-to-scrap-use-of-seven-warehouses-for-detention-centers/ar-AA261DMS>

<sup>17</sup> How ICE Is Breaking Laws as It Rushes to Jail Immigrants in Former Mega-Warehouses - Earthjustice, May 13, 2026, <https://earthjustice.org/article/how-ice-is-breaking-laws-as-it-rushes-to-jail-immigrants-in-former-mega-warehouses> ; further information at Mayor's Order 2026-028 Declaration of Public Emergency – Potomac Interceptor Collapse and Impacts.pdf, [https://mayor.dc.gov/sites/default/files/dc/sites/mayoromb/page\\_content/attachments/Mayor%2027s%20Order%202026-028%20Declaration%20of%20Public%20Emergency%20%E2%80%93%20Potomac%20Interceptor%20Collapse%20and%20Impacts.pdf](https://mayor.dc.gov/sites/default/files/dc/sites/mayoromb/page_content/attachments/Mayor%2027s%20Order%202026-028%20Declaration%20of%20Public%20Emergency%20%E2%80%93%20Potomac%20Interceptor%20Collapse%20and%20Impacts.pdf); UMD team finds E. coli, MRSA in Potomac River after sewage spill | University of Maryland | School of Public Health, February 5, 2026, <https://sph.umd.edu/news/umd-team-finds-e-coli-mrsa-potomac-river-after-sewage-spill>.

purchasing the property the next,<sup>18</sup> strongly appear unreasonable and arbitrary and capricious, in violation of the Administrative Procedure Act.

These challenges are further complicated by a prevailing drought<sup>19</sup> and an increasingly hot climate.<sup>20</sup>

There are enough problems on the grounds of inadequate water and sewage infrastructure at the site to discontinue the project.

### **DHS's Instruction Manual and Site Conditions Indicates an EA Would Not Be Sufficient and a Full EIS Would be Required Instead**

In the evidence submitted in Maryland's motion for a preliminary injunction in its recent challenge to the decision to acquire the ICE facility with no NEPA compliance, it is immediately clear that the ICE facility will have significant environmental impacts. DHS's instruction manual (V-13) states, "a Component has the option to prepare an EIS when there is good reason to do so for any activity at any time." In this case, there is ample evidence of significant environmental impacts that justify proceeding immediately to the preparation of an EIS.

DHS's instruction manual (V-2) also states:

*If the proposed action cannot be categorically excluded, Components normally begin the process to prepare an EA, following the EA procedures in Section V, Part C and associated CEQ guidance and requirements for EAs. However, in some circumstances it is appropriate to begin the process to prepare an EIS instead of an EA, as explained later in this Instruction. The EA process ends with either a FONSI or NOI to prepare an EIS. If the EA process is concluded by a FONSI, the action may proceed. (emphasis added)*

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<sup>18</sup> ICE Approved Environmental Review Day Before \$102 Million Maryland Site Purchase, April 3, 2026, <https://www.projectsaltbox.com/p/ice-approved-environmental-review>. "Agency records filed in federal court show the project listed as "In Preparation," "Environmental Review," "Senior Environmental Review," "Proponent Review," and "Project Approved" all on Jan. 15, 2026. Digital signatures show the final approval was completed at 4:49 p.m. The property was purchased the next day for \$102.4 million, according to the deed filed in Washington County."

<sup>19</sup> Washington County Conditions | Drought.gov, <http://Drought.gov> ; Drought-Indicators-2026-6-21.pdf; <https://mde.maryland.gov/programs/water/droughtinformation/Currentconditions/Documents/Drought-Indicators-2026-6-21.pdf>.

<sup>20</sup> Climate change fuels extreme Fourth of July weekend heat wave across the U.S. | Climate Central, June 30, 2026, <https://www.climatecentral.org/climate-shift-index-alert/Climate-change-fuels-extreme-July0Fourth-heat-wave-across-US>.

*If the proposed action clearly would have significant environmental impacts which cannot be mitigated to level of insignificance, or the EA process for the proposed action could not be concluded by a FONSI, Components prepare an EIS. Components follow CEQ requirements and the EIS procedures in Section V, Part D for preparing an EIS. The EIS process ends with a ROD. Until the Component issues its ROD, no action on the proposal can be taken that would have an adverse environmental impact or limit the choice of reasonable alternatives (40 C.F.R. §1506.1(a)). Once a ROD is issued, the action may proceed.*<sup>21</sup> (emphasis added)

DHS has previously applied NEPA to detention facility construction, in April 2024 for a 500 bed facility and in 2021 to accommodate up to 360 detainees.<sup>22</sup> This Williamsport facility is triple the capacity of those previous facilities with known hazards related to inadequate sewerage infrastructure and sensitive environmental, historic, and community features in the near vicinity.

Thus, ultimately an EIS must be done for this project, and DHS should immediately begin the requisite scoping activities, including a detailed evaluation of alternatives. An evaluation of alternatives, including a description of alternatives considered but rejected, is also required for an EA.<sup>23</sup> The heart of any environmental document is the required evaluation of alternatives — and there are much better alternatives.

### **Wide-ranging Significant Adverse Impacts**

An EIS would review site conditions; physical effects of the project on the natural and built environment; and outcomes of the proposed projects on the local and regional biosphere; cultural institutions; health, safety and welfare; and quality of life.

As the amicus brief filed in support of the Maryland Attorney General’s request for an injunction against the facility states:

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<sup>21</sup> Instruction Manual 023-01-001-01, Revision 01, Implementation of the National Environmental Policy Act (NEPA), 11/6/2014, available at: <https://web.archive.org/web/20260701234849/https://www.reginfo.gov/public/do/DownloadDocument?objectID=70902501>; available earlier this year as cited in the Maryland Attorney General Motion for a Temporary Restraining Order, 3/10/2026 at [https://www.fema.gov/sites/default/files/2020-07/fema\\_dhs\\_instruction-manual\\_023-01-00101.pdf](https://www.fema.gov/sites/default/files/2020-07/fema_dhs_instruction-manual_023-01-00101.pdf), but now appears to have been removed from the FEMA website, link not found.

<sup>22</sup> Memorandum in Support of Plaintiff’s Motion for a Temporary Restraining Order, Case 1:26-cv-00733-BAH, 03/10/26, at 6-7. Available at: <https://oag.maryland.gov/News/Documents/pdfs/Binder12.pdf>.

<sup>23</sup> Department of Homeland Security, Instruction Manual 023-01-001-01, 8(c) at V-11. [https://www.dhs.gov/sites/default/files/publications/DHS\\_NEPA%20IM%20023-01-001-01%20Rev%2001\\_version%20for%20FR\\_5-27-14.pdf](https://www.dhs.gov/sites/default/files/publications/DHS_NEPA%20IM%20023-01-001-01%20Rev%2001_version%20for%20FR_5-27-14.pdf).

Defendant DHS's NEPA policy manual explains that the EIS must address impacts that are "ecological (such as the effects on natural resources and on the components, structures, and functioning of affected ecosystems), aesthetic, historic, cultural, economic, social, or health, whether direct, indirect, or cumulative." ... "[W]hen a major federal action is undertaken, no part may be constructed without an EIS."<sup>24</sup>

The facility would be wildly out of character for the proposed site, which is in a largely rural area surrounded by woodlands, farms, and some residential development; and would impose severe and irreparable impacts upon the local community, including overwhelming publicly owned wastewater resources, probable impacts on sensitive waterways and natural resources, and traffic impacts from facility operations. In filing a lawsuit against ICE, Maryland Attorney General Anthony Brown wrote:

"The warehouse sits adjacent to Semple Run, a stream that feeds into the Conococheague Creek and ultimately the Potomac River – waterways that are home to state-protected and endangered species," Brown said in court documents. "Construction activity is likely to cause sediment runoff and pollution to those waters, and the facility's existing sewer and water infrastructure is wholly insufficient to support a detention center of this size."

The lawsuit also refers to other impacts upon the community, stating that "public reporting of conditions in detention facilities around the country reveals concerning evidence of a measles outbreak, sewage problems, and generally unsanitary conditions—alarming data that would implicate State public health authorities as well."<sup>25</sup> While ICE has indicated that they are "considering" a reduction in the size of the detainee population from 1500 to 542 individuals,<sup>26</sup> this population would still be considerably above the carrying capacity of the site and available local resources. County water and sewer assets are not adequate to accommodate the facility; the local pumping station handles a daily capacity of about 800 gallons, but a 1,500-bed ICE facility would generate roughly 188,000 gallons per day, which presents severe overflow risks. Even a scaled-back facility would exceed available capacity, and the State of Maryland has denied permission to expand affected assets.<sup>27</sup>

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<sup>24</sup> Brief of Amici Curiae Potomac Riverkeeper Network, Washington County Indivisible, and Center for Biological Diversity in Support of Plaintiff's Motion for Preliminary Injunction, No. 1:26-cv-733-BAH, March 26, 2026, <https://earthjustice.org/wp-content/uploads/2026/03/16-1-proposed-amicus-brief.pdf>.

<sup>25</sup> State of Maryland v Kristi Noem, et al. United States District Court, District of Maryland; Case 1:26-cv-00733-BAH, March 26, 2026, <https://earthjustice.org/document/hagerstown-detention-center-amicus-brief>

<sup>26</sup> ICE pushes infrastructure expansion for Maryland site, June 2, 2026, <https://archive.is/Xt6en>.

<sup>27</sup> ICE pushes infrastructure expansion for Maryland site, June 2, 2026, <https://archive.is/Xt6en>.

Semple Run has been identified by the State of Maryland as a sensitive environment for several species, as illustrated in the following description:

The cool temperatures in Semple Run and other groundwater influenced tributaries to Conococheague Creek act to keep temperatures in Conococheague Creek below temperatures in the mainstem Potomac River. This provides a thermal refugia during the summer for coolwater sportfish, including muskellunge, walleye, smallmouth bass, and popular sportfish that have economic value. The cool waters of Semple Run support the survival and growth of hatchery raised brown and rainbow trout introduced to state waters. The water quality of Semple Run is threatened by land use changes that increase sedimentation and stream temperatures. Runoff from impervious surfaces can increase stream temperatures, which may result in changes in the variety and abundance of fish species and decreases in fish species that are dependent on cooler temperatures.<sup>28</sup>

The Conococheague Creek is already stressed due to agricultural runoff and chemicals such as chlorides due to use of road salt on adjacent roadways throughout the watershed,<sup>29</sup> conditions that would be exacerbated by activities at the facility. The State of Maryland also detailed sensitive species in its report on the potential environmental impacts of the ICE facility:

Conococheague Creek supports a warmwater fishery for smallmouth bass, redbreast sunfish, rockbass, common carp, muskellunge, walleye, flathead catfish, and channel catfish throughout the Maryland portion. The creek supports a low diversity but high-density macroinvertebrate population. The tributaries of Conococheague Creek include Semple Run, Kemps Mill Run, Toms Run, and Rockdale Run, as well as numerous other unnamed streams and creeks. Currently, Conococheague Creek is considered biologically impaired due to stormwater runoff in Hagerstown and Williamsport and an increase in impervious surface cover. In addition, agricultural land use in the watershed and in the riparian buffer zone has led to elevated levels of nutrients and inorganic pollutants in the creek.<sup>30</sup>

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<sup>28</sup> Comments of Maryland Departments of Natural Resources Environment and Transportation on DHS Floodplain Notice for ICE Facility, Early Notice and Public Review of a Proposed Activity in a 100- to 500-Year Floodplain for ICE Detention Processing Center in Washington County, Maryland, DNR, MDE, MDOT, March 5, 2026 <https://marylandmatters.org/wp-content/uploads/2026/03/Comments-of-Maryland-Departments-of-Natural-Resources-Environment-and-Transportation-on-DHS-Floodplain-Notice-for-ICE-Facility.pdf>.

<sup>29</sup> Watershed Report for Biological Impairment of the Conococheague Creek Watershed, Washington County, Maryland Biological Stressor Identification Analysis Results and Interpretation, MDE, August 2013, [https://mde.maryland.gov/programs/Water/TMDL/DocLib\\_Conococheague\\_02140504/Conococheague\\_Creek\\_BSID\\_Report\\_080713\\_Final.pdf](https://mde.maryland.gov/programs/Water/TMDL/DocLib_Conococheague_02140504/Conococheague_Creek_BSID_Report_080713_Final.pdf).

<sup>30</sup> Comments of Maryland Departments of Natural Resources Environment and Transportation on DHS Floodplain Notice for ICE Facility, <https://marylandmatters.org/wp->

Still, ICE is constrained by NEPA to demonstrate that the facility will not irretrievably affect the natural and built environment. Sierra Club Maryland Chapter believes that ICE's use of this facility in a manner far beyond its original design will adversely impact the natural environment and strain resources, thus further harming this rural community. Impacts will be compounded more still with the combined impacts of numerous environmental issues in the vicinity, whether within or across state lines, including multiple proposed transmission lines, data centers, drought issues, floodplain vulnerability, and the severe water affordability issues prevalent in Western Maryland.

### **Section 106 and Protecting Williamsport and Its Historic Resources**

Section 106 of the National Historic Preservation Act provides local governments with jurisdiction to participate as "consulting parties" in federal reviews of projects that might affect historic resources.

Williamsport is filled with historic resources and has a right to advocate for their protection.

There is a map identifying Historic Resources

(<https://washcomd.maps.arcgis.com/apps/instant/sidebar/index.html?appid=ef89dcoa97bc4efc812df4c19401c116>) — if one types into the search field "Williamsport" and then "Wright Road, Williamsport," some of the historical resources that are closest to the warehouse on Wright and Hopewell Roads include Sprechers Mill House,<sup>31</sup> Sprechers Mill,<sup>32</sup> and the Van Lear Family Farm Complex.<sup>33</sup> Only a short distance away is the Williamsport Historic District, which is a:

[R]emarkably intact district of buildings from the initial settlement period of the late 18th and early 19th century, the establishment of the C&O Canal in the mid-19th century, and the heyday of the canal in the late 19th century. The Williamsport Historic District is also significant for its collection of buildings from several architectural stylistic periods, including 18th century vernacular log,

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content/uploads/2026/03/Comments-of-Maryland-Departments-of-Natural-Resources-Environment-and-Transportation-on-DHS-Floodplain-Notice-for-ICE-Facility.pdf.

<sup>31</sup> National Register Properties in Maryland, Sprechers Mill House, <https://apps.mht.maryland.gov/nr/NRDetail.aspx?NRID=457&COUNTY=Washington&FROM=NRCountyList.aspx?COUNTY=Washington>.

<sup>32</sup> National Register, Sprechers Mill, <https://apps.mht.maryland.gov/Medusa/PDF/Washington/WA-I-364.pdf>.

<sup>33</sup> Van Lear Family Farm Complex, <https://apps.mht.maryland.gov/Medusa/PDF/Washington/WA-I-368.pdf>

brick, and stone buildings, Greek Revival, Italianate, Queen Anne, Second Empire, and Colonial Revival.<sup>34</sup>

As noted in the earlier in these comments, Williamsport, Maryland (est. 1787), is a historic town in Washington County, known for its location on the C&O Canal and Potomac River, rich Civil War history, and small-town charm. Founded by Revolutionary War General Otho Holland Williams, it features National Register properties, historic locks, aqueducts, a railroad lift bridge,<sup>35</sup> and a well-preserved National Register historic district.

Clearly, the preservation and safeguarding of historic resources is a major issue for Williamsport.

Under Section 106 of the National Historic Preservation Act, an adverse effect is found when a federal undertaking may alter, directly or indirectly, any characteristics of a historic property that qualify it for the National Register — in a way that diminishes its location, design, setting, materials, workmanship, feeling, or association. Visual, atmospheric, and audible elements<sup>36</sup> are examples of adverse effects recognized under Section 106. This means that introducing or changing these elements can harm a property's historic integrity if they detract from its significant historic features.<sup>37</sup> In the case of this facility, the change in use of the warehouse will have visual (i.e., more people, more cars), atmospheric (i.e., more air pollution), and in the case of some historic sites, audible adverse impacts.

These effects can be direct (immediate and on-site) or indirect (farther away in time or space), and they can be cumulative — meaning the combined effect of multiple undertakings over time may still be significant.

Visual, atmospheric, and audible adverse impacts to the setting of the nearby Williamsport Historic District, National Register Properties, and the C&O National Historical Park can be expected to manifest in the following ways:

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<sup>34</sup> Williamsport Historic District National Register Form, [https://apps.mht.maryland.gov/medusa/PDF/NR\\_PDFs/NR-1276.pdf](https://apps.mht.maryland.gov/medusa/PDF/NR_PDFs/NR-1276.pdf); C&O Canal NHP National Register Form, [apps.mht.maryland.gov/medusa/PDF/Allegany/AL-I-B-086.pdf](https://apps.mht.maryland.gov/medusa/PDF/Allegany/AL-I-B-086.pdf).

<sup>35</sup> Railroad Lift Bridge – C&O Canal Trust, <https://www.canaltrust.org/pyv/railroad-lift-bridge/>.

<sup>36</sup> Visual: Changes in the sightlines, views, or visual character of a property or its setting (e.g., new buildings, signage, landscaping, or lighting that alters the historic appearance). Atmospheric: Changes in the air quality, smell, or environmental conditions that affect the historic setting (e.g., industrial emissions, construction dust, or new traffic patterns). Audible: Introduction of noise or sound that alters the historic ambiance (e.g., loud machinery, traffic noise, or other sound sources that change the property's character).

<sup>37</sup> eCFR :: 36 CFR 800.5 -- Assessment of adverse effects, <https://www.ecfr.gov/current/title-36/chapter-VIII/part-800/subpart-B/section-800.5>.

- Upgrade or expansion of the regional airport can lead to significantly increased flights and noise that interfere with the historic character of the national register district and properties.
- Highway expansion can lead to increased traffic in the community and increased air pollution.
- Dust, particulates, and noise associated with construction can impact the community.
- Doubling of the population of the community, leading to the character of the community being significantly altered, which may have a chilling effect on tourism and new residents moving there.
- Failure of the water or sewage infrastructure could severely impact all of the historic properties, as well as the C&O NHP's attractiveness to hikers and bikers and the local community.
- Cumulative impacts of combinations of the above.

It appears that the federally required Section 106 process for this project has not been appropriately followed. According to reporting:

DHS purchased the warehouse without public notice, without environmental review, and without consulting state or local authorities. It conducted its historic preservation review under an incorrect address — 10900 Hopewell Road rather than the deed address of 16220 Wright Road, a discrepancy a local resident formally challenged in February, ultimately forcing Maryland's Historic Trust to reopen its review after finding it had not been given complete information about the project's scope.<sup>38</sup>

Regarding the initiation of the historic review process, Project Salt Box reports:

On Jan. 12, the Department of Homeland Security sent a consultation letter to the Maryland Historical Trust identifying the planned facility as 10900 Hopewell Road. Four days later, the department purchased the property — but the deed listed it as 16220 Wright Road, which the objector says is a different legal parcel with different historic designations and deed restrictions.

The objector alleges that by using the Hopewell Road address, the department issued a finding of “No Historic Properties Affected” and closed the review without public announcement, consultation or opportunity for residents to request consulting party status or raise concerns.

Project Salt Box broke the story that the warehouse had been purchased by DHS on Jan. 27. The facility was not publicly disclosed until Jan. 28 — after the property was purchased and the review was complete. By the time the community learned

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<sup>38</sup> \$381 Million. That's What a Maryland County Wanted for Supporting an ICE Warehouse, March 17, 2026 <https://www.projectsaltbox.com/p/381-million-thats-what-a-maryland>.

about the facility, the objector argues, the required consultation process had already been declared finished.<sup>39</sup>

It seems that initially federal officials defined the “Area of Potential Effect” narrowly, focusing only on interior rehabilitation of the warehouse.<sup>40</sup>

In the request for comments, DHS acknowledges having “[begun] the Section 106 process in accordance with 36 CFR Part 800.”<sup>41</sup> Sierra Club Maryland Chapter agrees with DHS’s recognition of the need for a Section 106 process, albeit after a rocky start.

Sierra Club Maryland Chapter requests that the Section 106 process be conducted properly going forward, with a new start that involves following the mandated steps, including public notice and involvement of stakeholders.

Tribes are among the stakeholders, and at least one tribe has formally requested additional information about ground disturbance at the site.<sup>42</sup> This area was home to Algoquins, Kruskaraw, Wassa, Womenkes, Iroquois, Delawares, and Catawbas Indians.<sup>43</sup> It is understood that ICE’s contractor has not yet delivered final design plans, including basic ground disturbance information, to the agency. Without that information, ICE cannot fulfill its obligations under Section 106 of the National Historic Preservation Act to consult with tribes and other parties about potential impacts to cultural and historic resources before proceeding with a project. The Advisory Council on Historic Preservation, which is an independent federal body, has standing to weigh in on whether that consultation is being handled adequately.

### **Concerns about inhumane treatment at the facility and people avoiding and leaving the area**

“Warehousing” of individuals at a facility such as the proposed detention and processing center is likely not a “permitted use” for the site under local regulations. Unfortunately,

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<sup>39</sup> Local Resident Challenges Hagerstown ICE Facility Over Misleading Address in Federal Review, February 5, 2026, <https://www.projectsaltbox.com/p/local-resident-challenges-hagerstown>.

<sup>40</sup> Maryland Reopens Review of Hagerstown Detention Center After Residents Flag Road Project, February 11, 2026, <https://www.projectsaltbox.com/p/maryland-reopens-review-of-hagerstown>.

<sup>41</sup> Early Notice and Public Review of a Warehouse Renovation – Hagerstown MD, June 2026, [https://www.dhs.gov/sites/default/files/2026-06/26\\_0601-crsco-nepa-ice-scopting-hagerstown-md.pdf](https://www.dhs.gov/sites/default/files/2026-06/26_0601-crsco-nepa-ice-scopting-hagerstown-md.pdf)

<sup>42</sup> ICE Acknowledges Deeper Review Required for Stalled Maryland Detention Facility as Contractor, Tribal Consultation Issues Remain Unresolved, May 7, 2026, <https://www.projectsaltbox.com/p/ice-acknowledges-deeper-review-required>

<sup>43</sup> Our History – Town of Williamsport, <https://williamsportmd.gov/about-us/our-history/>. This page additionally notes that: “The first non-Native Americans to record visits to the Williamsport area included Indian traders and included a young surveyor named George Washington.”

the federal government is pushing its “detention reengineering initiative” forward. In April 2025, ICE Acting Director Todd Lyons said he wanted to see an immigration detention system that runs “like Prime, but for human beings.” We fully disagree with this dehumanizing statement and with the use of taxpayer dollars for this purpose.<sup>44</sup>

Industrial warehouses are not designed to house people. They provide essentially no natural light to those housed in them. Though detainees — men, women, and children — may be allowed some outdoor time, the outdoor air will be additionally polluted from adjacency to a paper mill and diesel exhaust from trucks going to and from the facility in a region that already ranks in the 97th percentile for particulate matter pollution. Those who would occupy the 1,500 beds in this inhospitable warehouse would be subjected to an additional cruel and unusual psychological torture by hearing the warehouse-detention center staff *within the building* using “an indoor firing range.”<sup>45</sup> Maryland’s Governor Wes Moore has raised concerns about what those who would be detained would experience in such a warehouse, saying, “I have grave concerns about any holding facility that denies basic human needs and dignity. Public safety is my top priority and we must protect the public by upholding all Constitutional rights.”<sup>46</sup>

Those living in or traveling to this area would also experience psychological disturbance from seeing ICE activity, especially knowing what ICE has done in Minneapolis and at detention and processing facilities<sup>47</sup> around the country, and to Marylander Kilmar Abrego Garcia.<sup>48</sup> It is not accurate to say that these kinds of activities, these facilities, the presence of 1,500 people being “detained,” and all the associated staff moving to the area would have no significant impact. ICE activity in this area will further depress tourism and visitors coming to or staying in this area. The actions already being

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<sup>44</sup> ICE Wants to Stash People in Amazon-style Warehouses - NILC, March 10, 2026, <https://www.nilc.org/articles/ice-wants-to-stash-people-in-amazon-style-warehouses/>.

<sup>45</sup> “Staff amenities may include training rooms, an indoor firing range, and office space to support operational and administrative functions.” Early Notice and Public Review of a Warehouse Renovation - Hagerstown MD, June 2026, [https://www.dhs.gov/sites/default/files/2026-06/26\\_0601-crsc0-nepa-ice-scoping-hagerstown-md.pdf](https://www.dhs.gov/sites/default/files/2026-06/26_0601-crsc0-nepa-ice-scoping-hagerstown-md.pdf).

<sup>46</sup> Gov Moore Letter to Sec Noem, February 6, 2026, <https://marylandmatters.org/wp-content/uploads/2026/02/02062026-Gov-Moore-Letter-to-Sec-Noem.pdf>.

<sup>47</sup> Eight people have died in dealings with ICE so far in 2026. These are their stories | ICE (US Immigration and Customs Enforcement) | The Guardian, <https://www.theguardian.com/us-news/2026/jan/28/deaths-ice-2026->; ICE Detention Deaths: 2025 Was the Deadliest Year in Two Decades - State of Surveillance; Baltimore ICE Facility Lawsuit: Detention Conditions and Rulings - LegalClarity, <https://legalclarity.org/baltimore-ice-facility-lawsuit-detention-conditions-and-rulings/>. <https://www.theguardian.com/us-news/2026/jan/28/deaths-ice-2026->.

<sup>48</sup> Timeline: Wrongful deportation of Kilmar Abrego Garcia to El Salvador - ABC News, June 22, 2026, <https://abcnews.com/US/timeline-wrongful-deportation-kilmar-abrego-garcia-el-salvador/story?id=120803843>.

undertaken on this facility are significantly adversely impacting the community in direct and indirect ways.

### **Closing Remarks**

Sierra Club Maryland Chapter opposes the use of the warehouse at 16220 Wright Road, Williamsport, MD, for an immigration detention and processing facility. Based on information about Williamsport and infrastructure limitations and risks in this historically important rural area, this is not an appropriate place for a detention center. There would be numerous significant adverse impacts to the local community and surrounding environment from the proposed action.

The DHS instruction manual and the project's scale and impacts indicate that an environmental assessment will not be an adequate level of environmental review, and that a full environmental impact statement is necessary for this proposed federal action.

We ask at this time to be included as a consulting party to this project's Section 106 process and request confirmation by email.

In addition to potential dire adverse environmental impacts that Maryland's three environmental agencies have warned of, we urge you to consider how an ICE facility and doubled population would affect this unique historic area. Just consider alone the greater pressure on local hospitals, emergency rooms, ambulances, and first responders. Harming a historic town with Civil War history that was a key port on the C&O Canal that President George Washington considered for the nation's capital is surely a reputational risk for the federal government that would be better avoided.

As we celebrate America 250, we should keep places like Williamsport safe, viable for tourism, and welcoming, so they can maintain their longtime communities, preserve historic districts and sites for posterity, and continue to teach us about our nation's early and ongoing history.

Thank you for your consideration and we look forward to your response to the issues raised.

Sincerely,

Sierra Club Maryland Chapter