November 3rd, 2026

To: Mayor Jorgensen and Jackson Town Council
Re: Mogul Development – Groundwater Contamination and Environmental Protection Concerns

Dear Mayor Jorgensen and Town Council Members,

On behalf of Protect Our Water Jackson Hole (POWJH), we are writing to express significant concerns regarding the proposed Mogul development on North Cache Street, particularly the potentially severe water quality impacts that could result from construction in soils and groundwater contaminated by hydrocarbons. Following our review of WSP and TriHydro's independent environmental assessments, substantial questions remain unanswered regarding the feasibility and environmental risks of the proposed construction approach.

Protecting groundwater and surface water quality is a central commitment of the Town's Comprehensive Plan. Principle 1.2, "Preserve and Enhance Surface Water and Groundwater Quality," emphasizes protecting the Snake River Sole Source Aquifer, preventing pollution, and coordinating water quality monitoring. The Town's 2024 Sustainability Plan reinforces this commitment through its Healthy Watershed goal: *"Our surface and ground waters will be unimpaired, resilient, support healthy populations of cold-water fish, and be valued by our community."*

These commitments must guide land-use decisions, particularly when development intersects a known benzene plume and groundwater contamination. Development must not come at the expense of groundwater quality. The Town should require the applicant to demonstrate that the project will do no further harm before moving forward.

Groundwater Contamination and Risks of Deep Excavation

WSP confirms that benzene -a known carcinogen- and petroleum hydrocarbons remain in soil and groundwater at concentrations exceeding state cleanup criteria. The proposed development includes below-grade construction extending into groundwater, which is 3–5 feet below existing ground level.

The applicant proposes a "bathtub" containment system to facilitate excavation and contain contamination. However, significant uncertainty remains regarding how the bottom of this system will be constructed and how groundwater will be managed during excavation.

We are particularly concerned that excavation could enter the more permeable underlying alluvial gravel and cobble deposits, creating new pathways for contaminant migration. WSP specifically questions whether the proposed micropiles could penetrate the bottom of the containment system, creating a contamination pathway. These risks must be thoroughly evaluated before approval.

Inadequate Dewatering Analysis and Groundwater Management

As WSP recommends, additional hydrogeological analysis must occur to verify dewatering volumes and need for long-term dewatering. The applicant has not adequately demonstrated how much groundwater

may require extraction, treatment, or off-site disposal, particularly if excavation encounters highly permeable subsurface materials. Underestimating groundwater inflow could create substantial environmental challenges and increase the risk of contaminant migration.

POWJH urges the Town to require additional hydrogeological testing and a detailed contingency plan for managing contaminated groundwater. Appropriate mobile laboratory analysis, rather than field screening alone, must inform groundwater treatment and disposal decisions.

Perhaps most troubling is Mogul's apparent failure to propose meaningful remediation of the highly contaminated groundwater beyond the building's foundation footprint. Rather than taking responsibility for addressing the broader contamination, the proposed approach appears primarily focused on managing contamination where necessary to accommodate construction.

Consideration of Less Disruptive Alternatives

Most importantly, we question whether the applicant has adequately evaluated alternatives that would avoid disturbing the most sensitive and contaminated portions of the site.

Rather than designing an extensive containment and dewatering system around a building footprint that intersects contaminated groundwater, the Town should require consideration of alternative building footprints, basement configurations, and foundation designs that minimize or eliminate deep excavation in this area.

The burden should be on the applicant to demonstrate that the proposed design is the least environmentally damaging feasible alternative, not simply that contamination can be managed during construction.

POWJH urges the Council to withhold approval of the proposed excavation and remediation approach until these concerns are adequately addressed and less harmful alternatives have been thoroughly evaluated.

Thank you for your consideration and continued commitment to protecting Jackson's water resources.

Sincerely,



Jennifer Evans

POWJH Advocacy Director