

**JESSICA K. FERRELL**  
**PARTNER****CONTACT**

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**AREAS OF FOCUS**

Environmental Litigation  
PFAS & Emerging Contaminants  
Cleanup & Cost Recovery  
Recycling & Waste Management  
Clean Water & Water Quality  
Water Rights & Resources  
Natural Resources & Endangered Species  
Alternative Energy & Renewables

**EDUCATION & CLERKSHIP**

J.D., Lewis and Clark Law School, with honors (2005)  
B.A., with honors, Cornell University, History (1998)

**ADMISSIONS & MEMBERSHIPS**

Ninth Circuit Court of Appeals  
U.S. District Courts, Eastern and Western Districts of Washington  
State Bar of Washington

**RECOGNITION & ACTIVITIES**

Best Lawyers in America (Environmental Law, Environmental Litigation, and Natural Resources 2018 - 2023)  
Lawdragon 500 Leading Environmental and Energy Lawyers (2021 - 2023)  
Planning Committee, Environmental Law Institute's GreenTech Conference (2022)  
Northwest Immigrant Rights Project, Pro Bono Attorney representing refugees seeking political asylum (2007-2019)  
Washington State Bar Association Pro Bono Service Commendation 2007-2017, 2019-2021)

Full bio available here.

**A litigator with nearly 20 years of courtroom experience and a background in environmental law and policy, Jess brings a proven track record of taking on and achieving successful results in a wide array of complex challenges, with emphasis on disputes arising under the Endangered Species Act, NEPA, the Clean Water Act, CERCLA, and state analogues.**

In her environmental and natural resource practice, Jess represents public and private clients under a multitude of federal and state laws. She has successfully argued before and tried cases in the Ninth Circuit Court of Appeals; the U.S. District Courts for the Districts of Alaska, Colorado, District of Columbia, New Mexico, Nevada, Oregon, Texas, and the Western and Eastern Districts of Washington; superior courts across Washington State; and the Washington State Environmental and Land Use Hearings Boards. Jess has prosecuted numerous cost recovery actions and defended renewable energy project permits against ESA, MMPA, APA, and NEPA challenges, and ensured regulatory compliance of developments, water diversion operations, fishing, and other natural resource- dependent activities. She also participates in rulemaking proceedings and has pursued regulatory challenges under the Magnuson-Stevens Act and other federal laws.

Outside the courtroom, Jess negotiates settlements in complex multi-party cases and regularly advises clients on regulatory compliance, environmental liabilities in property transactions, water rights, permitting, and a variety of natural resource and wildlife matters.

**REPRESENTATIVE MATTERS**

- Represents multiple cities and water districts in actions against U.S. Department of Defense ("DOD") and chemical manufacturers for contamination of public water systems by perfluorinated compounds ("PFAS"), including in the Aqueous Film-Forming Foams Products Liability Multi-District Litigation in the U.S. District Court for the District of South Carolina.
- Advises textile and apparel manufacturers, outdoor recreational product manufacturers, food product manufacturers, retailers, and other industries on PFAS regulatory compliance at the federal and state level.
- Represents New Mexico local governments for recovery of costs to remediate municipal water supplies contaminated by hazardous substances used by private companies and the U.S. military. Successfully negotiated multi-year, multi-million dollar consent decree to remediate public water supply with DOD and U.S. Environmental Protection Agency.
- Represents Seattle Times in environmental cost recovery litigation in U.S. District Court for the W.D. Washington and the Ninth Circuit, and in insurance coverage litigation.
- Represents partnerships between affordable housing and community advocacy groups and development companies to bring long-term affordable housing to increasingly gentrified urban areas in the Pacific Northwest.
- Represented Oregon water districts in multi-year ESA Section 7 consultation on large Bureau of Reclamation project, culminating in effective mitigation of potential adverse ecological impacts and a "no jeopardy" biological opinion.
- Ensures regulatory compliance of renewable energy projects nationwide and, if necessary, defends same against land use, ESA, BGEPA, NEPA and other challenges.
- Advises waste, recycling and compost companies on regulatory compliance.
- Represented fishing companies in support of and challenges to NOAA Fisheries allocations, fishery management regulations, and associated ESA and NEPA decisions for Bering Sea and Aleutian Islands Pacific Cod and Atka mackerel fisheries, in U.S. District Court for the W.D. Washington and the Ninth Circuit.
- Represented clients in contested instream water rights claims in the Klamath Basin Adjudication.