

**CONTACT**

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**PRACTICE AREAS**

Endangered Species  
Environmental Litigation  
Hydropower  
Land Use  
Litigation & Administrative  
Proceedings  
NEPA & State Equivalents  
Water Resources

**EDUCATION**

George Washington University  
School of Law  
Georgetown University

**BAR AND COURT ADMISSIONS**

Colorado State Bar  
District of Columbia Bar  
Washington State Bar  
U.S. District Court for the Western  
District of Washington  
U.S. Court of Appeals for the  
Ninth Circuit

**JENNA R. MANDELL-RICE**  
ASSOCIATE



**Professional Background**

Jenna practices in the areas of natural resources, environmental, and water law. She helps clients navigate complex regulatory, permitting, enforcement and litigation matters under a range of environmental statutes, including the Federal Power Act, the Washington State Environmental Policy Act (SEPA), National Environmental Policy Act (NEPA), Endangered Species Act (ESA), Clean Water Act (CWA), and Safe Drinking Water Act (SDWA). Jenna advises municipal water utilities and suppliers to address water rights, water supply and water quality challenges.

Prior to joining the firm, Jenna was an associate in K&L Gates' Washington DC office. During law school, she served as a law clerk for the Council on Environmental Quality (CEQ), an office within the Executive Office of the President that coordinates Federal environmental efforts and works closely with agencies and other White House offices to develop environmental policies. While at CEQ, she worked on a variety of policy matters under the National Environmental Policy Act, the Clean Air Act and the Endangered Species Act. Jenna was a law clerk for the Honorable Christine M. Arguello in the U.S. District Court for the District of Colorado and served as the Senior Articles Editor of the George Washington University Energy and Environmental Law Journal.

**Representative Experience**

- Advises Snohomish County Public Utility District with respect to relicensing of hydroelectric projects and CWA Section 401 certifications.
- Counsels Roza Irrigation District on all aspects of federal and state environmental permitting and use authorization for a proposed floating pumping plant located within the boundary of the U.S. Bureau of Reclamation's Kachess Reservoir.
- Counsels clients on ESA compliance and litigation issues, including listing, critical habitat designation, consultation, and reintroduction of listed species.
- Represented operator of a FERC-licensed hydroelectric project in action brought by landowners alleging state-law claims for property damage. Obtained dismissal of all claims with prejudice.
- Counsels City of Tacoma on water rights and municipal water supply. Key issues include change and transfer of existing water rights, instream flows and fisheries, trust water and hydropower licensing.
- Provides counsel to several coalitions of industry groups and property owners in Washington and Oregon related to recent changes in the Federal Emergency Management Agency's implementation of the National Flood Insurance Program. Responsibilities include: strategic counsel in response to several Biological Opinions issued by NOAA-Fisheries to FEMA regarding the effect of the NFIP on threatened and endangered species; litigation in federal court challenging implementation of the Biological Opinions; and legislative advocacy related to the pending reauthorization of the NFIP.

**Articles and Presentations**

- Speaker, "Section 408 Permitting" - 2018 Wetlands in Washington, Law Seminars International, Seattle WA, 05/21/2018
- Presenter, "The Role of Greenhouse Gas Emissions in SEPA and NEPA Review" - 2018 Environmental and Land Use Law Midyear Meeting & Conference, Washington State Bar Association, Cle Elum WA, 05/10/2018

- National Flood Insurance Program: Oregon Communities & Developers Face Significantly Heightened Standards Following ESA Consultation - National Impacts Probable, The Water Report, Issue 152, 10/15/2016
- [Criminal Liability For OCS Contractors Re-Examined](#), Law360.com , 06/10/2016
- Speaker, "Mitigation Banks, In-Lieu Fees, and Permittee-Sponsored Mitigation – Opportunities and Challenges" - 2016 Environmental and Land Use Law Midyear Conference and Meeting, Cle Elum Washington, 05/05/2016

### Alerts

- Federal Guidance on Section 404 Permitting Under Development, 02/14/2019
- Federal Agencies Release the New Clean Water Rule to Replace "Waters of the United States" (WOTUS) Rule, 12/12/2018
- Final Corps Guidance Issued on Section 408 Permitting, 10/11/2018
- EPA and Corps Seek Additional Comment on Proposal to Repeal Definition of WOTUS, 07/18/2018
- FEMA Adopts Significant Changes to the National Flood Insurance Program ("NFIP") Under the Rubric of a "Clarification", 06/08/2018
- Corps Issues Draft Guidance on Section 408 Permission Requests, Solicits Comments, 03/02/2018
- EPA and Corps Amend Effective Date of WOTUS Rule, Open Door to Legal Challenges, 02/12/2018
- Supreme Court Rules that District Courts Retain Jurisdiction Over "Waters of the United States" (WOTUS) Rule, 01/29/2018
- EPA Proposes to Amend Effective Date of WOTUS Rule, 11/27/2017
- Oregon Communities and Developers Face Significantly Heightened Standards Following ESA Consultation on National Flood Insurance Program, 05/25/2016
- Criminal Liability for OCS Contractors Reexamined in Black Elk Decision, 05/09/2016
- Washington Streamlines Business Entity Administrative Requirements, 02/17/2016