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# TRAILBLAZERS

ENERGY & ENVIRONMENTAL

## RACHEL JACOBSON

WILMERHALE

**PIONEER SPIRIT** Rachel Jacobson didn't plan to become an environmental lawyer, but she was prosecuting fraud cases at the Justice Department when the Exxon Valdez oil spill occurred in 1989. "It gave me the opportunity to use my litigation skills in a different area of law, and I transferred to the environment division where I spent the next 18 years." In 2009, she was named principal deputy solicitor of the Department of the Interior. Jacobson later became deputy general counsel for environment, energy and installations at the Defense Department.

**TRAILS BLAZED** At the DOJ, she pursued a case on behalf of federal agencies against a mining company for legacy pollution, and convinced the state and an affected tribe to join as plaintiffs. "It's probably the first time the state of South Dakota and the Cheyenne River Sioux were ever on the same side." While at Interior, Jacobson led a 2014 delegation to the UNESCO World Heritage proceedings in Doha, Qatar, to successfully advocate for World Heritage designation of Poverty Point in Louisiana. She was the principal deputy solicitor at Interior when the Deepwater Horizon spill occurred. "The secretary did not want to delay restoration, so we immediately negotiated an early restoration agreement with BP for \$1 billion, even before we knew what the full measure of damages would be. We reached agreement among all federal agencies, BP and the five states on the first anniversary of the spill, then funded \$800 million in projects over the next couple years. That was remarkably fast."

**FUTURE EXPLORATIONS** Changes to environmental regulations will take some time to fully implement, and in the meantime, states will become very active, particularly around groundwater issues. "I predict that stakeholders and citizens will be very vigilant and use the courts to keep both industry and government accountable."

