



## TIMELINE OF WHAT'S UPSTREAM ATTACK ON FAMILY FARMING

*(Prepared by Capital Press with Updates from Save Family Farming)*

**Dec. 28, 2010** — EPA awards six-year, \$18 million grant to the Northwest Indian Fisheries Commission for projects in the Puget Sound region. The Swinomish Indian tribe receives a portion of the money.

**May 20, 2011** — EPA provides review of project plan, stating: “*we believe that the proposed work would not violate the anti- lobbying provisions of 40 C.F.R. part 34, which is incorporated into EPA’s cooperative agreement with NWIFC. However, there may still be public perception issues related to the proposed tasks and how they relate to lobbying.*”

**April 24, 2012** — Swinomish tribe environmental policy director Larry Wasserman reports to the EPA Puget Sound intergovernmental coordinator that a consultant (Seattle PR firm Strategies 360) had been hired.

**July 8-11, 2012** — Strategies 360 survey finds voters satisfied with water quality; environmental issues are the least of their concerns. However, a Strategies 360 memo to Wasserman describes voter opinions as “malleable.”

**Oct. 25, 2012** — EPA assigns new “sub-tasks” to tribe which include another statewide survey, newspaper ads, social media, so-called earned media and “creative” advertisements.

**Oct. 24, 2013** — What’s Upstream, an online ad program to drive web traffic, is launched.

**March 20-23, 2014** — Another Strategies 360 survey finds farmers and ranchers are popular, but most voters also say they support mandatory 100-foot buffers between farm fields and waterways.

**July 15, 2014** — Inspector General for the EPA releases an audit of Puget Sound grants which states EPA “... should improve oversight of subaward monitoring policies and activities.” Audit includes reference to review for lobbying. The EPA’s Northwest office disputes the critical audit.

**July 28, 2014** — Marty Loesch hired by Strategies 360 as Chief Counsel and COO. Loesch previously was Swinomish attorney and Governor Gregoire’s Chief of Staff.

**Oct. 24, 2014** — Strategies 360 submits a “What’s Upstream marketing report,” outlining ways the website is being promoted, “... to insert the campaign’s messaging and themes into coverage of water-quality and other environmental issues.”

**April 16, 2015** — On a visit to Washington state, EPA Administrator Gina McCarthy meets with Swinomish tribal leaders. She then tours the Skagit River with a group that includes the tribe’s chairman, Brian Cladoosby, and Wasserman. The meeting and tour are closed to the press.

**April 23, 2015** — EPA Project Officer's email notes restart of campaign but asks what is being planned.

**April 30, 2015** — After consulting with Strategies 360, Wasserman files a report with the Fisheries Commission which states, "An increased expenditure of funds will begin in mid-May with a focus on north Puget Sound."

**May 19, 2015** — EPA Project Officer Lisa Chang requests further conversation about the campaign "before work proceeds much further" because of concerns about the shift in narrative and the "actual direction" of the campaign. This effectively halts the campaign and interferes with planned relaunch in late May.

**June 30, 2015** — Wasserman asks for clarification of the "legal and contractual" basis for the EPA halt to the campaign

**July 15, 2015** — EPA's Chang expresses concern about campaign's "message alignment" with EPA and Puget Sound Partnership.

**July 16, 2015** — EPA Region 10 Director McLerran has call with Wasserman and Swinomish attorney.

**Sept. 21, 2015** — Marty Loesch sends email to EPA's Chang thanking for edits and stating they "incorporated many of them in the final versions of text for the website and the letter to elected officials..." Final version of letter, ads and website show that most of suggested edits were not adopted.

**Sept. 30, 2015** — In another report to fisheries commission, Wasserman states, "Project has been delayed as a result of extensive reviews and engagement by EPA."

**Oct. 30, 2015** — Wasserman reports to Fisheries Commission: "As a result of extensive review and engagement by EPA, we have been revising the website, and have to (restart) media outreach."

**October 31, 2015** — New website launched with much stronger attacks on agriculture, "Take Action" button, promise of sending form letter from visitors to "various Washington senators whose votes we hope to influence." Radio and online ads begin appearing and farmers become increasingly aware of the campaign.

**Dec. 14, 2015** — Government Accountability Office finds EPA misspent federal funds on a "stealth" campaign to promote new Waters of the United States rule via social media platform Thunderclap and select websites. EPA has yet to report to Congress on the matter.

**December, 2015** — Planning begins on a farmer-supported response to the What's Upstream campaign.

**March 2016** — What's Upstream ads appear on public buses in Whatcom County in northwestern Washington. Transit officials quickly remove the advertisements based on agency's policy against political advertising. Billboards appear in Bellingham and Olympia sparking farmer anger across the state.

**March 25, 2016** — EPA says it's neutral on the content of the What's Upstream website, which includes a "Take Action" link that allows people to send a form letter to state lawmakers urging mandatory 100-foot farm buffers.

**March 31, 2016** — Responding to a Capital Press inquiry, EPA acknowledges that What's Upstream billboards in Olympia and Bellingham should have disclosed EPA's involvement in campaign.

**April 4, 2016** — Senate Agriculture Committee Chairman Pat Roberts, R-Kan., calls billboards "disturbing" and "malicious." He and Senate Environment Committee Chairman Jim Inhofe, R-Okla., write the Inspector General for the EPA, Arthur Elkins, asking for an investigation.

**April 5, 2016** — EPA reverses course and says its grants should not have been used for What's Upstream.

**April 12, 2016** — House Agriculture Committee Chairman Mike Conaway, R-Texas, writes EPA Administrator McCarthy requesting records related to its involvement with What's Upstream, noting pattern of EPA lobbying violations.

**April 18, 2016** — EPA Inspector General Elkins states in a letter to Roberts and Inhofe that his office will investigate three grants awarded to the fisheries commission totaling \$20.5 million.

**April 19, 2016** — McCarthy tells the Senate Environment Committee that her agency has stopped funding What's Upstream. Sen. Deb Fischer, R-Neb., asks McCarthy when her agency became aware of the campaign. Answers McCarthy: "I can't give you an exact date, but I can assure you that EPA also was distressed about the use of the money and the tone of that campaign."

**April 25, 2016** — Swinomish Chairman Cladoosby writes letter to Sen. Roberts and Inhofe stating that EPS staff were "intimately involved in helping us develop content of public materials to ensure they were both compliant with federal grant requirements and rooted in sound science."

**May 2, 2016** — EPA Region 10 Administrator sends letter to Chairman Conaway stating EPA's involvement focused on providing technical input and guidance on lobbying restrictions. He also states public campaign was halted, however only the advertising was halted with website and social media elements altered but continuing.

**May 13, 2016** — Save Family Farming incorporated in Washington State as a 501(c)5 non-profit corporation funded and governed by farmers and farm supporters across the state. It's specific purpose is a state-wide response to the What's Upstream campaign against farmers. Hires James Tupper of Tupper Mack Wells to ensure farmers legal interests protected.

**September 14, 2016** — Save Family Farming sends request for enforcement of Washington state campaign laws to Public Disclosure Commission noting if state law regarding registration of lobbying activity had been followed, no taxpayer money could have been spent.