

The EPA's Clean Water Rule: An Aggressive Social Media Campaign with Ethical  
Shortcomings

**The Modern Environmental Movement**

According to the Corporation for Public Broadcasting, Congress passed the Federal Water Pollution Control Act in 1948, marking the unofficial beginning of the modern environmental movement in the United States (CPB, 2013). Sonoma State University Emeritus Professor David Walls cites the development as one of the most popular social movements in the country, where “five million American households contribute to national environmental organizations, which together receive over \$350 million in contributions from all sources” and “75 percent of Americans in 1989 identified themselves as environmentalists” (Walls, 2014). While the movement spanned across many companies, publics and government agencies, conservationists like the Environmental Protection Agency played a key role in its development.

Established on Dec. 2, 1970 “in the wake of elevated concern about environmental pollution,” the EPA joined the modern environmental movement about 20 years after changes in policy began to appear (EPA, 2015). Recently in May 2015, the EPA came under fire for a PR campaign focused on using social media as a platform to promote proposed regulation on governing America's waterways. Against the EPA's campaign was The American Farm Bureau Federation, the Justice Department and many republicans who opposed aggressive environmental legislation, such as Oklahoma's Senator James M. Inhofe. What struck a chord with opposition was not just the political implications of the campaign, but the thin line the EPA walked using grass-roots lobbying techniques to persuade the American public.

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The multimedia campaign used the hashtag #DitchTheMyth, along with a social media management tool Thunderclap to promote the proposed legislation working to protect the quality of American drinking water (Coffee, 2015). Users were asked to publicly voice their opinions, which brought into question the EPA's right to influence the masses as a weapon against opposition. According to the Justice Department, federal agencies "should not engage in substantial 'grass-roots' lobbying, defined as 'communications by executive officials directed to members of the public at large, or particular segments of the general public, intended to persuade them in turn to communication with their elected representatives on some issue of concern to the executive'" (Lipton & Davenport, 2015). The thin line, according to Adweek's Patrick Coffee, is that "the campaign never *explicitly* told users to contact their congressmen/women," making the Justice Department's argument a shaky accusation. While the EPA's campaign certainly brought up issues of legality, their strategies and tactics proved to be incredible successful.

**Tactics and Techniques**

Unlike many governmental entities steeped in traditional methods of communication, the EPA recognized the importance of the digital era, including the incredible power of social media to sway public opinion. Mandated by the Obama administration, the campaign was the first of its kind, "using the tactics of elections" and "highlighting the tension between exploiting emerging technologies while trying to abide by laws written for another age" (Lipton & Davenport, 2015). The campaign focused on Facebook and Twitter, encouraging the general public to seek out more information regarding the proposed legislation and take action to ensure it was passed. One tactic was a video showcasing water-related scenes, including ocean waves rolling to shore, a woman drinking water from a faucet and a baby being washed with water in a tub. The video

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concluded with the text “Clean Water...It starts with you” followed by a URL that took viewers to a landing page titled, “Tell Congress: No Polluter Giveaways” (Lipton & Davenport, 2015). One key technique for distributing these messages was via Thunderclap, which “allows a single message to be mass-shared, flash mob-style, so it rises above the noise of your social networks” (Thunderclap, 2015). By saturating social media, the EPA received over one million comments on the legislation, with 87.1 percent of commenters in support of the rule (Lipton & Davenport, 2015).

Before the influx of social media, traditional tactics were also used to set a foundation. The following are a few examples of how the organization promoted their legislation and fought back against opposers (NY Times, 2015):

- Private meetings with environmental stakeholders.
- Briefing for EPA regional administrators, including methods of engaging key stakeholders.
- News releases and YouTube videos written and released by the agency administrator Gina McCarthy.
- Publicity of a partnership with Clean Water Action, an environmental group that backed the legislation.
- Statements from senior EPA staff members explaining the organization’s point of view.
- Blog posts tackling opposing arguments and defending the proposed rule.
- Preparation and distribution of fact sheets.

While traditional tactics were used, the weight of new media tactics including social media platforms, blog posts and viral videos reflected the influence of the time period. The EPA was

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successful because it identified its target audience as concerned Americans who are active online, and then adapted to ways they interact and communicate in order to best deliver its message. Backed by a host of supporters including the Obama administration, the organization had the financial means to hire additional team members to support the campaign and connect with public commenters on social media. The combination of extensive resources and a relevant, effective strategy were two key influences for the campaign's success.

**Critique: The EPA's Success and Failures**

In terms of persuading the American public, the EPA's Clean Water Rule was effective. However, the act was temporarily blocked nationwide in October 2015 by the U.S. Appeals Court due to fear from lawmakers on its potential disruption to private property rights and far-reaching power (Kendall & Harder, 2015). This recent development implies that although the organization's campaign performed well with the American public, it did not adequately consider the ethical implications of dancing around federal law. Now the EPA must struggle to address an audience it failed to cater to - federal appeals courts. In hindsight, the EPA could have used similar tactics with an aggressive social media drive to create a campaign that avoided legal speculation. By presenting a more objective picture of their rule, the general public could have still been persuaded without giving opposing lawmakers a reason to throw a red flag.

If the temporary block on the EPA's Clean Water Rule is removed, the changes to American society will be significant. The rule would place "two million miles of streams and 20 million acres of wetlands that provide drinking water" under the protection of the act, a positive action for the protection of drinking water, and a negative action for private landowners who would not have the right to divert small streams or fill in wetlands on their properties (Atkin,

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2015). Regardless of the outcome, the sheer publicity of this rule has swayed American opinion in favor of water protection and influenced a significant increase in new media activism. The shift towards using technology as a tool for activism is changing the social, political and environmental landscape to include the general public in making choices for change.

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