

**THE OFFICE OF THE GOVERNOR**

**EXECUTIVE DEPARTMENT  
STATE OF IDAHO  
BOISE**

**EXECUTIVE ORDER NO. 2016-07**

**CONTINUING APPOINTMENT OF MEMBERS OF THE BOARD OF ENVIRONMENTAL QUALITY**

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*WHEREAS, the State of Idaho administers the Clean Air Act, 42 U.S.C. 7401 et seq., through provisions of State law identified and described in a State Implementation Plan (SIP);*

*WHEREAS, the Idaho Board of Environmental Quality is authorized to make final administrative appeal determinations regarding air quality permits and enforcement orders;*

*WHEREAS, section 128 of the Clean Air Act requires Idaho's SIP to include the following provisions:*

- (1) Any board or body which approves permits or enforcement orders under this chapter shall have at least a majority of members who represent the public interest and do not derive any significant portion of their income from persons subject to permits or enforcement orders under this chapter; and*
- (2) Any potential conflicts of interest by members of such board or body or the head of an executive agency with similar powers shall be adequately disclosed.*

*WHEREAS, Idaho Code § 39-107(1)(a) provides:*

*The board of environmental quality shall consist of seven (7) members who shall be appointed by the governor, with the advice and consent of the senate. The members shall serve at the pleasure of the governor. Each member of the board shall be a citizen of the United States, a resident of the state of Idaho, and a qualified elector; and shall be appointed to assure appropriate geographic representation of the state of Idaho. Not more than four (4) members of the board shall be from any one (1) political party. Two (2) members of the board shall be chosen with due regard to either knowledge and interest in solid waste; two (2) members shall be chosen for their knowledge of and interest in air quality; two (2) members shall be chosen for their knowledge and interest in water quality; and one (1) member shall be chosen with due regard for their knowledge of and interest in air, water and solid waste issues.*

*NOW THEREFORE, I, C.L. "Butch" Otter, Governor of the State of Idaho, by the authority vested in me under the Constitution and laws of the State of Idaho, do hereby order the appointment of members to the Idaho board of environmental quality shall be made in conformance with the requirements of Idaho Code section 39-107(1)(a), and section 128 of the Clean Air Act (2 U.S.C. 7428).*



*IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 14th day of December, in the year of our Lord two thousand and sixteen and of the Independence of the United States of America the two hundred forty-first and of the Statehood of Idaho the one hundred twenty-seventh.*

Handwritten signature of C.L. "Butch" Otter in blue ink.

C.L. "BUTCH" OTTER  
GOVERNOR

Handwritten signature of Lawrence Denney in blue ink.

LAWRENCE DENNEY  
SECRETARY OF STATE