1410 N Hilton Street
Boise, ID 83706 • (208) 373-0502

Brad Little, Governor
Jess Byrne, Director

DEQ POLICY STATEMENT
PS26-06

SUCCESSION AND DELEGATION OF AUTHORITY

Purpose

To sustain continuity of operations at the Idaho Department of Environmental Quality (DEQ), this policy establishes a sequence of leadership in the event of absence or emergency. This policy supersedes PS21-04.

Background

The State of Idaho, and DEQ, in accordance with Idaho Code Title 46, Chapter 10, "State Disaster Preparedness Act of 1975, as amended by the Idaho Homeland Security Act of 2004" and Executive Order 2022-04, "Assignments of All-Hazard Prevention, Protection, Mitigation, Response and Recovery Functions to State Agencies in Support of Local and State Government Relating to Emergencies and Disasters" is required to plan and prepare for disasters and emergencies resulting from natural or human-caused emergency or disaster events, enemy attack, terrorism, sabotage, or other hostile action. The order also requires agencies to develop and maintain a continuity of operations plan (COOP) to (1) address how the agency will continue essential functions if facilities or leadership are compromised and (2) return the agency to normal operations. DEQ's current COOP is kept on file at the Idaho Office of Emergency Management (IOEM).

The IOEM's Idaho Emergency Operations Plan further requires that all state department heads, at a minimum, designate primary and alternate emergency successors for key supervisory positions to ensure continuity of department leadership, authority, and responsibilities. Additionally, each agency Division or Regional Administrator designates a primary and alternate emergency successor.

Successors designated under this policy will be instructed in their emergency duties and notified of requirements and responsibilities by the person they succeed, if available, or by a senior manager or Governor's Office staff. Successors will exercise authorities and functions only until superseded by a more senior delegate or by a successor designated by proper authority to assume direction.

Statement of Policy

Succession to the position of Director:

Pursuant to Idaho Code § 67-2405(2)(c), an acting Director is delegated the full authority of the DEQ department head as provided by Idaho Code § 67 and § 39, and other provisions of applicable law except:

- The authority to commence any administrative or civil enforcement action without prior approval of the Director.
- The authority to appoint, dismiss, or change the compensation of any employee. The acting Director can place any employee on paid leave.

The term unavailable means the incumbent is unable, because of absence, disability, incapacity, or other cause, to effectively exercise the assigned powers and duties.

If the Director is unavailable, or during an emergency or disaster when requested by the Director, the Deputy Director will act as Director. If both the Director and Deputy Director are unavailable, or during an emergency or disaster when requested, a Division Administrator will act as Director in accordance with the DEQ Acting Director and Administrator Schedule maintained by the Director's Office, or as otherwise designated by the Director in writing. If the designated Division Administrator is unavailable, the next Division Administrator in the rotation will act as Director.

The Director will operate from the location that, in the Director's judgment, best serves the agency. If an alternate location or facility provides a sufficiently superior command position, the Director may relocate to direct agency operations from that location or designate a successor to assume command there.

Copies of succession schedules are included in DEQ's vital records and databases and will be available at any alternate location.

Signatures when acting:

An employee delegated authority under this policy will perform under their own signature, name, and title, or with their signature and the phrase "For" or "Acting For" on documents that include the Director or Administrator's name or title.

DEQ's policy on nepotism does not apply to any employee under the direct chain of command of an acting position.

Succession to the position of Division or Regional Administrator:

An acting Division or Regional Administrator is delegated full authority to exercise the powers and duties of the position if the incumbent is unavailable or when requested during an emergency or disaster, according to the DEQ Acting Director and Administrator Schedule maintained by the Director's Office, or as otherwise designated in writing by the Division or Regional Administrator.

Responsibility

DEQ's Deputy Director is responsible for maintaining this policy.

Implementation

This policy is effective immediately and will remain in effect for 5 years unless amended, replaced, or rescinded earlier.

Dated this 6th day of October, 2026

Jess Byrne Digitally signed by Jess Byrne
Date: 2026.10.06 13:48:39 -06'00'

Jess Byrne
Director, Idaho Department of Environmental Quality