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State Water Resources Control Board

**NOTICE OF POSTPONEMENT OF PUBLIC HEARING**

The State Water Resources Control Board has postponed the Public Hearing to determine whether to issue a Cease and Desist Order and whether to impose Administrative Civil Liability against

**Mike Passalacqua and Peder Hoy**

**Tuolumne River  
Stanislaus County**

The **Public Hearing** was scheduled to commence on  
**Friday, October 14, 2016**  
**at 9:00 a.m.**

in the Sierra Hearing Room  
Joe Serna, Jr.-CalEPA Building  
1001 I Street, Second Floor  
Sacramento, CA

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**PLEASE TAKE NOTICE**

The Public Hearing scheduled to commence on October 14, 2016, and the submission deadline for exhibits and testimony of noon, September 14, 2016, as identified in the August 2, 2016 [Notice of Public Hearing](#) (Notice) are **POSTPONED**. The deadline for submission of Notice of Intent to Appear forms of noon, August 19, 2016, remains in effect. However, parties who submit a form by the noon, August 19, 2016 deadline will have an opportunity to submit a revised form in the future if and when the hearing is rescheduled.

On August 5, 2016, the State Water Resources Control Board (State Water Board) received a joint request from the parties to postpone the hearing for 60 to 90 days. The Hearing Officers have granted this request. Further notification will be provided if and when the hearing is rescheduled.

**SETTLEMENTS**


In this water rights enforcement hearing, the prosecution team is prosecuting Mike Passalaqua and Peder Hoy for an alleged violation. The prosecution team, Mike Passalaqua, and Peder Hoy may, at their discretion, engage in private settlement discussions and may include other persons in those discussions. Due to the separation of functions, the hearing team cannot participate in settlement discussions.

Should the parties reach settlement, they must notify the hearing team as soon as possible. More information about settlements in water right enforcement hearings is provided in the section entitled "Settlements" in the Notice's enclosure entitled "Information Concerning Appearance at Water Right Hearings."

**IF YOU HAVE ANY QUESTIONS**

During the pendency of this proceeding, there shall be no ex parte communications regarding substantive or controversial procedural matters within the scope of the proceeding between State Water Board members or hearing team members and any of the other participants, including members of the prosecution team. (Gov. Code, §§ 11430.10-11430.80.) Questions regarding non-controversial procedural matters should be directed to Senior Staff Counsel Nicole Kuenzi at (916) 322-4142, or by email to [Nicole.Kuenzi@waterboards.ca.gov](mailto:Nicole.Kuenzi@waterboards.ca.gov); or Environmental Scientist Jane Farwell-Jensen at (916) 341-5349, or by email to [Jane.Farwell-Jensen@waterboards.ca.gov](mailto:Jane.Farwell-Jensen@waterboards.ca.gov). (Gov. Code, § 11430.20, subd. (b).)

August 24, 2016  
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Date

  
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Jeanine Townsend  
Clerk to the Board