



The Environmental Notice

January 23, 2023

Josh Green, M.D., Governor
Scott Glenn, Director, OPSD

The Environmental Notice provides public notice for projects undergoing environmental review in Hawai'i as mandated under Section 343-3, Hawai'i Revised Statutes, the Environmental Impact Statement Law. Along with publishing Environmental Assessments and Environmental Impact Statements for projects in Hawai'i, *The Environmental Notice* also includes other items related to the shoreline, coastal zone, and federal activities.



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ANNOUNCEMENTS

[EPA Legal Tools to Advance Environmental Justice](#) (EJ Legal Tools) is an updated and expanded compilation of legal authorities available to EPA for identifying and addressing the disproportionate impact of pollution on underserved and overburdened communities, including communities of color, Indigenous people, and low-income communities. EJ Legal Tools is intended to help EPA decisionmakers and partners understand their authorities to consider and address environmental justice and equity in decision-making, and to promote meaningful engagement. EPA Legal Tools builds on an earlier version, Plan EJ 2014: Legal Tools, which was released in 2011.

STATEWIDE MAP OF NEW EA/EIS DOCUMENTS & DETERMINATIONS



O‘AHU EAS/EISS

Newtown 550’ Exploratory Well--Draft EA (AFNSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds
District(s)	Honolulu
TMK(s)	(1) 9-8-062:099
Permit(s)	Numerous (see document)
Proposing/ Determining Agency	City and County of Honolulu, Board of Water Supply Erwin Kawata, (808) 748-5066, ekawata@hbws.org 630 South Beretania Street, Honolulu, HI 96843
Consultant	The Limtiaco Consulting Group; 1622 Kananui Street, Honolulu, HI 96817 Ian Arakaki, (808) 596-7790, ian@tlcghawaii.com
Status	Statutory 30-day public review and comment period starts. Comments are due by February 22, 2023. Please click on title link above to read the document, then send comments to the proposing/determining agency and copy the consultant.

BWS proposes to install an exploratory well and test pump at its existing facility at 98-1876 Piki Street in Waimalu, O‘ahu to collect data about the quantity and quality of the underlying groundwater source. The project site involves land that was previously disturbed for the development of the Newtown 550’ Reservoir facility. The testing data will allow BWS to determine if the project site is a suitable location for a permanent groundwater well.

In early December 2021, BWS shut down its Halawa Shaft and halted pumping at the ‘Aiea and Halawa Wells due to contamination of the groundwater aquifer by petroleum fuel releases from the Navy’s Red Hill Bulk Fuel Storage Facility and Pipeline. The project is proposed at this time in response to the ongoing emergency situation and the uncertainty of returning all previously used water sources to full production. Once water testing is completed, the test pump would be removed and the well would be covered with a well cap.

HABITAT CONSERVATION PLAN

Kauai Island Utility Cooperative Habitat Conservation Plan (Draft HCP)

Applicable Law	Hawai‘i Revised Statutes (HRS) Chapter 195D
Island / Districts	Kaua‘i / multiple districts
TMK(s)	Numerous (island-wide)
Permits Required	State Incidental Take License, CDUA, Federal Incidental Take Permit
Applicant	Kauai Island Utility Cooperative; 4463 Pahe‘e Street, Suite 1, Līhu‘e, HI 96766 c/o: Dawn Huff, (808) 354-0302, hcp@kiuc.coop
Approving Agency	State of Hawai‘i, Department of Land and Natural Resources Katherine Cullison, (808) 223-0459, katherine.cullison@hawaii.gov 1151 Punchbowl St Room 325, Honolulu, HI 96813
Status	Sixty day public review and comment period starts. Comments are due by March 24, 2023. Please click on title link above to read the document, then send comments to the approving agency at dofaw.hcp@hawaii.gov and copy the applicant.

The Kauai Island Utility Cooperative (KIUC) has drafted a Habitat Conservation Plan (HCP) to support KIUC’s application for an incidental take license (ITL) under Hawai‘i Revised Statutes (HRS) Chapter 195D. The covered activities are the operation and maintenance of current and future powerlines and lighting. The draft HCP identifies take of three covered seabirds species associated with powerline collisions and fallout caused by artificial nighttime lighting from streetlights and buildings. Take of 5 covered waterbird species is primarily associated with powerline collisions. Artificial nighttime lighting from streetlights also results in take of green sea turtle nestlings that become disoriented after hatching on natal beaches. The draft HCP includes proposed minimization, monitoring, and adaptive management strategies to accomplish the biological goals and objectives of the conservation plan.

PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT

Status: The comment period for these projects began previously. Please click on the links below to read a document, then send comments to the relevant agency and copy any relevant applicant and/or consultant identified in the submission form that follows the initial agency letter.

COMMENTS DUE JANUARY 23, 2023

MAUI

[DHHL Villages of Leialii, Village 1-B--Draft EA \(AFNSI\)](#)

[Ho'ala Honokowai--\(EIS Preparation Notice\)](#)

O'AHU

[Mānoa Banyan Court Affordable Elderly Rental Housing--Draft EA \(AFNSI\)](#)

[Ke Piki Ohana Single Family Dwelling Project--Draft EA \(AFNSI\)](#) (per ROH Chapter 25)

COMMENTS DUE FEBRUARY 7, 2023

MAUI

[Ledcor South Maui Properties and Improvements--\(EIS Preparation Notice\)](#)

SHORELINE NOTICES

APPLICATIONS FOR SHORELINE CERTIFICATION

The shoreline certification applications below are available for review and comment at the Department of Land and Natural Resources offices on Kaua'i, Hawai'i, Maui, and Honolulu, 1151 Punchbowl Street, Room 220 ([HRS § 205A-42](#) and [HAR § 13-222-12](#)). **Maps and photos of each application file can be viewed [here](#).** All comments shall be submitted in writing to the State Land Surveyor, 1151 Punchbowl Street, Room 210, Honolulu, HI 96813 and postmarked no later than 15 calendar days from the date of this public notice of the application. For more information, call Ian Hirokawa at (808) 587-0420.

File No.	Location	TMK	Applicant	Owner
OA-2022	10 Sand Island Access Rd., O'ahu 96819	(1) 1-5-041:006	Sam O. Hirota	State of Hawai'i, DLNR
OA-2023	57-275 Kam. Hwy. & 57-145 Kam. Hwy., O'ahu 96819	(1) 5-7-001:048 & 049	Engineers Surveyors Hawaii, Inc.	Lot 13 BRE Turtle Ba Dev. LLC/ Lot 14 BRE Turtle Bay Resort LLC
MA-803	Hana Village, Maui 86713	(2) 1-4-004:999por.	Control Point Surveying, Inc.	Maui County
MA-804	2435 Ka'anapali Parkway, Maui 96761	(2) 4-4-008:001	R. T. Tanaka Engineers, Inc.	WV Sub LLC c/o Brookfeild Properties Retail
HA-633	12-7789 Kalapana, Hawai'i 96778	(3) 1-2-018:001	Mark Wyatt (Kaimu CoveLLC)	Mark Wyatt (Kaimu CoveLLC)
HA-634	14-3791 Government Beach Rd., Hawai'i 96778	(3) 1-4-028:033	Daniel Berg c/o dlb & Associates, LLC	Erik Gerald Georg Jung, Christina Kallmayer

PROPOSED SHORELINE CERTIFICATIONS AND REJECTIONS

The shoreline notices below have been proposed for certification or rejection by the Department of Land and Natural Resources ([HRS § 205A-42](#) and [HAR § 13-222-26](#)). Any person or agency who wants to appeal shall file a notice of appeal in writing with DLNR no later than 20 calendar days from the date of this public notice. Send the appeal to the Board of Land and Natural Resources, 1151 Punchbowl Street, Room 220, Honolulu, Hawai'i 96813.

File No.	Status	Location	TMK	Applicant	Owner
OA-1989	Proposed	7455 Kalaniana'ole Hwy., O'ahu 96744	(1) 3-9-012:002	ControlPoint Surveying, Inc.	City and County of Honolulu
MA-801	Proposed	Front Street, Maui 96761	(2) 4-5-002 & 008	Control Point Surveying, Inc.	County of Maui
LA-030	Proposed	Manele, Lāna'i 96763	(2) 4-9-017:por 002 & 008	R. M. Towill Corporation	Lanai Resorts LLC
KA-466	Proposed	4059 A 'Anini Rd., Kaua'i 96754	(4) 5-3-006:009	Honua Engineering, Inc.	Ryan Chatley
KA-470	Proposed	4842 Lawai Rd., Kaua'i 96756	(4) 2-6-012:004	Honua Engineering, Inc.	Steven Hiaasen & Feryat Newman
KA-472	Proposed	Kikiaola Waimea, Kaua'i 96756	(4) 1-2-013:040	Roger M. Caires	Roger M. Caires

COASTAL ZONE MANAGEMENT NOTICES

SPECIAL MANAGEMENT AREA (SMA) MINOR PERMITS

The SMA Minor permits below have been approved ([HRS § 205A-30](#)). For more information, contact the relevant county/state planning agency: Honolulu [(808) 768-8015]; Hawai'i [East (808) 961-8288], [West (808) 323-4770]; Kaua'i [(808) 241-4050]; Maui [(808) 270-7735]; Kaka'ako or Kalaeloa Community Development District [(808) 587-2846]

Location (TMK)	Description (File No.)	Applicant/Agent
Kaua'i: Hanalei (5-5-008:052)	Agriculture Shed for Tool Storage. (SMA(M)-2023-12)	Joel Ceynar
Kaua'i: Hanalei (5-3-004:018)	Workshop Conversion to Guesthouse Use. (SMA(M)-2023-13)	Jeffrey Ayeroff and Marty Longbine/ Belles Graham LLP
Maui: Lahaina (4-6-002: 010)	Maui Oceanfront Marathon January 15, 2023 Set up for Finish Line between Shaw St and Mokuhini Place on Front Street (SM2 2022-00072)	Alfred Wright

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) ACTIONS

As a courtesy, listed below are documents submitted for publication that have been prepared pursuant to NEPA, rather than Chapter 343, HRS (sometimes referred to as "HEPA").

[Joint Intelligence Operations Center--Final EA-FONSI](#)

Island / District / TMK	O'ahu / 'Ewa / (1) 9-9-002:004 (por.)
Permit(s)	National Pollutant Discharge Elimination System Construction General Permit
Proposing & Approving Agency	U.S. Department of the Navy, Naval Facilities Engineering Systems Command Pacific 258 Makalapa Drive, Suite 100, JBPHH, HI 96860, Attn: EV21 Project Manager, JIOC EA NFPAC-Receive@navy.mil
Consultant	HHF Planners, Gail Renard, (808) 457-3167, comments@hhf.com
Status	Finding of No Significant Impact (FONSI)

Joint Base Pearl Harbor-Hickam (JBPHH) proposes to construct an administrative facility to consolidate the United States Indo-Pacific Command Joint Intelligence Operations Center (JIOC) functions from dispersed locations at JBPHH and Camp H.M. Smith. The Preferred Alternative would construct a multi-story, approximately 172,000-square-foot administrative facility within the U.S. Navy's JBPHH Makalapa Compound. The project also includes supporting infrastructure and facilities (e.g., parking, stormwater detention, sanitary sewer lift station, and offsite sewer improvements). Project construction is anticipated to begin in 2026 and be completed in 2030.

The purpose of the Proposed Action is to provide an administrative facility for JIOC that meets current and anticipated facility requirements at JBPHH, improves its ability to carry out its mission, and consolidates geographically dispersed functions and personnel in order to improve integration among JIOC organizations. The Proposed Action is needed to improve the integration and close collaboration required to support operations by collocating JIOC functions and personnel at a new facility with the ability to accommodate new technologies, which would better support national, strategic, and operational theater requirements. The Navy determined that the project would not significantly impact the quality of the human environment.

FEDERAL NOTICES

As a courtesy, listed below are some relevant entries from the Federal Register published since the last issue of *The Environmental Notice*. For more information, click on the title link, also available at www.federalregister.gov.

Rule: [Revised Definition of "Waters of the United States"](#) (published by the Engineers Corps and the Environmental Protection Agency [EPA] on 01/18/2023)

The EPA and the Department of the Army ("the agencies") are finalizing a rule defining the scope of waters protected under the Clean Water Act (CWA). In developing this rule, the agencies considered the text of the relevant provisions of the CWA and the statute as a whole, the scientific record, relevant Supreme Court case law, and the agencies' experience and technical expertise after more than 45 years of implementing the longstanding pre-2015 regulations defining "waters of the United States." This final rule advances the objective of the CWA and ensures critical protections for the nation's vital water resources, which support public health, environmental protection, agricultural activity, and economic growth across the United States. This action is effective on March 20, 2023.

GLOSSARY OF TERMS AND DEFINITIONS

Agency Actions

Projects or programs proposed by any department, office, board, or commission of the state or county government which is part of the executive branch of that government per [HRS 343-2](#).

Applicant Actions

Projects or programs proposed by any person who, pursuant to statute, ordinance, or rule, requests approval for a proposed action per [HRS 343-2](#).

Draft Environmental Assessment

When an Agency or Applicant proposes an action that [triggers](#) HRS 343, an Environmental Assessment shall be prepared at the earliest practicable time to determine whether the action's environmental impact will be significant, and thus whether an environmental impact statement shall be required per [HRS 343-5\(b\)](#), for Agency actions and [HRS 343-5\(e\)](#), for Applicant actions. For actions for which the proposing or approving agency anticipates a Finding of No Significant Impact (AFNSI), a Draft EA (DEA) shall be made available for public review and comment for 30 days and public notice is published in this periodic bulletin.

Final Environmental Assessment and Finding of No Significant Impact

The action's proponent shall respond in writing to comments on a DEA received during the 30-day review period and prepare a Final EA (FEA) that includes those responses to determine whether an environmental impact statement shall be required. If there are no significant impacts, then the Agency will issue a Finding of No Significant Impact (FONSI). An Environmental Impact Statement (EIS) will not be required and the project has cleared HRS 343 requirements. The public has 30 days from the notice of a FONSI in this bulletin to challenge the FONSI in the Environmental Court and seek a ruling to require the preparation of an EIS.

Final Environmental Assessment and Environmental Impact Statement Preparation Notice

An EIS shall be required if the Agency finds that the proposed action may have a significant effect on the environment. The Agency shall file notice of such determination with OPSD called an EIS Preparation Notice (EISPN) along with the supporting Final EA. After the notice of the FEA-EISPN is published in this bulletin, the public has 30 days to request to become a consulted party and to make written comments. The public (including the Applicant) has 60 days from the notice of the EISPN in this bulletin to ask a court to not require the preparation of an EIS.

Act 172-2012, Direct-to-EIS, Environmental Impact Statement Preparation Notice (with no EA)

Act 172 in 2012 amended HRS 343 by providing for an agency to bypass the preparation of an environmental assessment for various actions that in the experience of the agency would clearly require the preparation of an EIS. The agency must submit its determination that an EIS is required for an action (Act 172-2012, EISPN) with a completed publication form detailing the specifics of the action. This starts a 30-day scoping period in which the agency or applicant must hold a public scoping meeting for the preparation of the Draft EIS. Written comments and responses on the EISPN must be incorporated into the subsequent Draft EIS and oral comments from the public scoping meeting must be recorded and submitted to OPSD with the Draft EIS.

HEPA

While technically there is no "Hawai'i Environmental Policy Act," HRS 343 is often referred to by this term.

Act 312-2012, Secondary Actions in the Highway or Public Right Of Way

Act 312-2012, amended HRS 343, by adding a new section (HRS 343-5.5., entitled "Exception to applicability of chapter"). HEPA allows for a statutory exception for "secondary actions" (those that involve infrastructure in the highway or public right-of-way) provided that the permit or approval of the related "primary action" (those outside of the highway or public-right-of-way and on private property) is not subject to discretionary consent and further provided that the applicant for the primary action submits documentation from the appropriate agency confirming that no further discretionary approvals are required. An aid to understanding this is to visualize residential driveway improvements in the public right-of-way, versus, retail outlet driveway improvements in the public right-of-way.

Draft Environmental Impact Statement

After receiving the comments on the EISPN, the Agency or Applicant must prepare a Draft Environmental Impact Statement (DEIS). The content requirements of the DEIS shall contain an explanation of the environmental consequences of the proposed action including the direct, indirect and cumulative impacts and their mitigation measures. The public has 45 days from the first publication date in this bulletin to comment on a DEIS.

Final Environmental Impact Statement

After considering all public comments filed during the DEIS stage, the Agency or Applicant must prepare a Final EIS (FEIS). The FEIS must respond in a point-by-point manner to all comments from the draft and must be included in the FEIS. For Applicant projects, the Approving Agency is the Accepting Authority and must make a determination within 30 days or the FEIS is deemed accepted as a matter of law. For an Agency project, the Governor or the Mayor (or their designated representative) is the Accepting Authority, and unlike applicant actions, there is no time limit on the accepting authority reviewing the FEIS. Only after the FEIS is accepted may the project be implemented.

Acceptability

The Accepting Authority must be satisfied that the FEIS meets three criteria (process, content, response to comments) to accept it. Whether the FEIS is accepted or not accepted, notice of the Acceptance Determination is published in this bulletin. The public has 60 days from publication to legally challenge the acceptance of a FEIS. For both Applicant and Agency actions, the Applicant or the proposing Agency can prepare a Revised DEIS after a non-acceptance determination.



Maui sunset

Photo by [Thomas Hawk](#)

National Environmental Policy Act

The National Environmental Policy Act (NEPA) requires federal projects to prepare a Federal EA or EIS. In many ways it is similar to Hawai'i's law. Some projects require both a State and Federal EIS and the public comment procedure should be coordinated. Upon request by a federal agency, OPSD publishes NEPA notices in this bulletin to help keep the public informed of important federal actions.

Conservation District

Proposed uses of land in the State Conservation District require a Conservation District Use Application (CDUA). These applications are reviewed and approved/denied by the Department or Board of Land and Natural Resources. Members of the public may intervene in the permit process. This bulletin will include EAs & EISs for actions proposed within the Conservation District.

Special Management Area and Shoreline Setback Area

The Special Management Area (SMA) is along the coastline of all islands; development in this area is generally regulated by [HRS 205A](#), and county ordinance. A portion of the SMA that is addressed by HRS 343 is the [Shoreline Area](#), which includes land between the State-certified shoreline and the county-determined shoreline setback line. This bulletin will include EAs & EISs for actions proposed within the Shoreline Setback Area. Some projects going through the SMA permit process on O'ahu are also required to go through an environmental review process that mirrors HRS 343; these "ROH Chapter 25" EAs/EISs are included in this bulletin.

Shoreline Certifications

State law requires that Hawai'i shorelines be surveyed and certified when necessary to clearly establish the shoreline setback from the certified shoreline. The public may participate in the process to help assure accurate regulatory boundaries. Private land owners often petition to have their shoreline certified by the State surveyor prior to construction. This bulletin publishes notice from the Department of Land and Natural Resources of shoreline certification applicants and final certifications or rejections.

Environmental Advisory Council

The [Environmental Advisory Council](#) is a 15-member citizen board appointed by the Governor. They serve as a liaison between the Director of OPSD and the general public concerning ecology and environmental quality. Agendas of their regular meetings are posted on the Internet and the public is invited to attend.

Agency Exemption Lists

Government agencies may keep a list describing the minor activities they regularly perform that are exempt from the environmental review process. These lists and any amendments shall be submitted to the Council for review and concurrence (HAR 11-200.1-16). This bulletin will publish an agency's draft exemption list for public comment prior to Council decision making, as well as notice of the Council's decision on the list.

Endangered Species

This bulletin is required by [HRS 343-3\(c\)](#), to publish notice of public comment periods or public hearings for Habitat Conservation Plans (HCP), Safe Harbor Agreements (SHA), or Incidental Take Licenses (ITL) under the federal Endangered Species Act, as well as availability for public inspection of a proposed HCP or SHA, or a proposed ITL (as a part of an HCP or SHA).



Publication Calendar of the
Environmental Review Program
Periodic Bulletin, **HAR Chapter 11-200.1**

2023

Pursuant to Chapter 11-200.1, Hawai'i Administrative Rules (HAR), all items to be published in the periodic bulletin must be electronically submitted (see, <https://planning.hawaii.gov/erp/submittal-form/>) to the Environmental Review Program (ERP) five working days prior to the publication date. For actions that have published a draft EA or EISPN on or before August 8, 2019, use the 1996 Rules Submittal Deadline column for determining the filing date for the Final EA, Draft EIS, Final EIS, Acceptance / Non-acceptance, supplemental determinations, and supplemental EISs.

1996 Rules Submittal Deadline	Current Submittal Deadline	Publication Date	EA or EISPN Comment 30-Day Deadline	EIS Comment 45 Day Deadline
Dec 13 Tue	Dec 16 Fri	Dec 23 2022 Fri	Jan 23 Mon	Feb 06 Mon
Dec 27 Tue	Dec 30 Fri	Jan 08 2023 Sun	Feb 07 Tue	Feb 22 Wed
Jan 10 Tue	Jan 13 Fri	Jan 23 Mon	Feb 22 Wed	Mar 09 Thu
Jan 27 Fri	Feb 01 Wed	Feb 08 Wed	Mar 10 Fri	Mar 28 Tue
Feb 10 Fri	Feb 15 Wed	Feb 23 Thu	Mar 28 Tue	Apr 10 Mon
Feb 24 Fri	Mar 01 Wed	Mar 08 Wed	Apr 10 Mon	Apr 24 Mon
Mar 13 Mon	Mar 16 Thu	Mar 23 Thu	Apr 24 Mon	May 08 Mon
Mar 28 Tue	Mar 31 Fri	Apr 08 Sat	May 08 Mon	May 23 Tue
Apr 12 Wed	Apr 17 Mon	Apr 23 Sun	May 23 Tue	Jun 07 Wed
Apr 26 Wed	May 01 Mon	May 08 Mon	Jun 07 Wed	Jun 22 Thu
May 11 Thu	May 16 Tue	May 23 Tue	Jun 22 Thu	Jul 07 Fri
May 26 Fri	Jun 01 Thu	Jun 08 Thu	Jul 10 Mon	Jul 24 Mon
Jun 13 Tue	Jun 16 Fri	Jun 23 Fri	Jul 24 Mon	Aug 07 Mon
Jun 27 Tue	Jun 30 Fri	Jul 08 Sat	Aug 07 Mon	Aug 22 Tue
Jul 12 Wed	Jul 17 Mon	Jul 23 Sun	Aug 22 Tue	Sep 06 Wed
Jul 27 Thu	Aug 01 Tue	Aug 08 Tue	Sep 07 Thu	Sep 22 Fri
Aug 10 Thu	Aug 15 Tue	Aug 23 Wed	Sep 22 Fri	Oct 09 Mon
Aug 28 Mon	Aug 31 Thu	Sep 08 Fri	Oct 09 Mon	Oct 23 Mon
Sep 13 Wed	Sep 18 Mon	Sep 23 Sat	Oct 23 Mon	Nov 07 Tue
Sep 27 Wed	Oct 02 Mon	Oct 08 Sun	Nov 07 Tue	Nov 22 Wed
Oct 11 Wed	Oct 16 Mon	Oct 23 Mon	Nov 22 Wed	Dec 07 Thu
Oct 27 Fri	Nov 01 Wed	Nov 08 Wed	Dec 08 Fri	Dec 26 Tue
Nov 13 Mon	Nov 16 Thu	Nov 23 Thu	Dec 26 Tue	Jan 08 Mon
Nov 28 Tue	Dec 01 Fri	Dec 08 Fri	Jan 08 Mon	Jan 22 Mon
Dec 13 Wed	Dec 18 Mon	Dec 23 2023 Sat	Jan 22 Mon	Feb 06 Tue
Dec 26 Tue	Dec 29 Fri	Jan 08 2024 Mon	Feb 07 Wed	Feb 22 Thu

- Section 11-200.1-4(a), HAR, establishes the publication schedule of the periodic bulletin to be on the eighth and twenty-third of each month. Publication shall occur on weekends and holidays, when appropriate.
- Section 11-200.1-5(a), HAR, establishes the submittal deadline to be five working days before the publication date. The schedule does not count holidays and non-working days. Items must be submitted before the close of business (4:30 PM) on the submittal deadline. Note: Actions that have published the Draft EA or EISPN on or before August 8, 2019 shall file pursuant to Chapter 11-200, HAR ("1996 Rules"), which requires filing eight working days before publication.
- Comment periods for EAs are 30 days and for EISs are 45 days from the publication date. Section 11-200.1-3 sets forth how to count the days from publication. The publication date is day zero. Holidays and weekends are counted. When the deadline falls on a state holiday or non-working day, the deadline is the next working day.