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SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE ADMINISTRATIVE LAW COURT
S. Phillip Lenski, Administrative Law Judge

Docket No. 22-ALJ-07-0008-CC

Gullah/Geechee Fishing Association, Inc.,Appellant,

vs.

South Carolina Department of Health and Environmental Control, and
Bay Point Island, LLC,Respondents.

**APPELLANT'S DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL**

Appellant proposes the following to be included in the Record on Appeal:

Orders

1. Order for Prehearing Statements, dated February 15, 2022.
2. Order Granting Respondent Bay Point's Motion to Dismiss, July 15, 2022.

Pleadings

3. Request for Contested Case and Associated Exhibits, dated January 17, 2022.
4. Petitioner's Prehearing Statement, dated March 4, 2022.
5. Respondent DHEC's Prehearing Statement, dated March 4, 2022.
6. Respondent Bay Point Island, LLC's Prehearing Statement, dated March 7, 2022.

Motions

7. Respondent Bay Point Island, LLC's Motion to Dismiss and Associated Exhibits, dated May 9, 2022.
8. Petitioner's Motion for Summary Judgment and Associated Exhibits, dated May 19, 2022.
9. Petitioner's Return to Respondent Bay Point Island, LLC's Motion to Dismiss and Associated Exhibits, dated May 20, 2022.

10. Respondent DHEC's Motion for Summary Judgment, dated May 27, 2022.
11. Petitioner's Return to Respondent DHEC's Motion for Summary Judgment and Associated Exhibits, dated June 6, 2022.
12. Respondent Bay Point Island, LLC's Return to Petitioner's Motion for Summary Judgment, dated June 6, 2022.

Transcripts

13. Transcript of Hearing, dated June 20, 2022.

s/Leslie Lenhardt
Leslie Lenhardt (S.C. Bar No. 15858)
Emily M. Nellerhoe (S.C. Bar No. 102330)
S.C. ENVIRONMENTAL LAW PROJECT
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Counsel for Appellants

November 14, 2022
Charleston, South Carolina

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PROOF OF SERVICE

I hereby certify that on this date I served Appellant’s Initial Brief and Designation of Matter on all parties by emailing a copy of same on November 14, 2022, to the Attorney Information System provided email addresses below, via attached e-mail:

Mary D. Shahid, Esq.
mshahid@nexsenpruet.com

Sara V. Martinez. Esq.
martinsv@dhec.sc.gov

s/ Leslie S. Lenhardt
Leslie S. Lenhardt

November 14, 2022



**SOUTH CAROLINA
ENVIRONMENTAL
LAW PROJECT**

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VIA EMAIL

Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: Appellant's Initial Brief and Designation of Matter
Gullah/Geechee Fishing Association v. SCDHEC & Bay Point Island, LLC
Case No. 2022-001126

Dear Ms. Kitchings:

Please find attached Appellant's Initial Brief and Designation of Matter. I am serving all parties via the addresses in the electronic filing system. Thank you very much for your kind consideration.

Respectfully,

Leslie S. Lenhardt
Staff Attorney

Attachments

cc: Sara V. Martinez, Esq.
Mary D. Shahid, Esq.

Our Mission To protect the natural environment of South Carolina by providing legal services and advice to environmental organizations and concerned citizens and by improving the state's system of environmental regulation.