

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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MAY 29 2018

SC Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Ralph King Anderson, III, Chief Administrative Law Judge

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Appellate Case No. 2017-002598

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ALC Case Nos. 17-ALJ-07-0041-CC; 17-ALJ-07-0042-CC; 17-ALJ-07-0039-CC

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Charles S. Blackmon and South Carolinians for  
Responsible Agricultural Practices,.....Appellants,

v.

South Carolina Department of Health and Environmental  
Control and David Coggins Broilers, .....Respondents;

Charles S. Blackmon and South Carolinians for  
Responsible Agricultural Practices,.....Appellants,

v.

South Carolina Department of Health and Environmental  
Control and Heath Coggins Broilers, .....Respondents;

Charles S. Blackmon and South Carolinians for  
Responsible Agricultural Practices,.....Appellants,

v.

South Carolina Department of Health and Environmental  
Control and Jim Young Broilers, .....Respondents.

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DESIGNATION OF MATTER TO BE INCLUDED  
IN THE RECORD ON APPEAL

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Respondents David Coggins Broilers, Heath Coggins Broilers, and Jim Young Broilers propose the following be included in the Record on Appeal in addition to those matters designated by Appellants Charles S. Blackmon and South Carolinians for Responsible Agricultural Practices:

1. David Coggins Broilers' Application and Comprehensive Nutrient Management Plan (complete version) – Pet'rs. Ex. 2C, DHEC\_000917-1033.
2. Heath Coggins Broilers' Application and Comprehensive Nutrient Management Plan (complete version) – Pet'rs. Ex. 3B, DHEC\_00002062-2221.
3. Jim Young Broilers' Application and Comprehensive Nutrient Management Plan (complete version) – Pet'rs. Ex. 1B, DHEC\_003184-3352.
4. DHEC Agricultural Permitting Review Checklist, Jim Young Broilers (complete version) – Pet'rs. Ex. 1B, DHEC\_003171-82.
5. Email from Mary Basel to Bill Chaplin dated October 21, 2016 - Pet'rs. Ex. 1B, DHEC\_003514.
6. Transcript of Contested Case Hearing, pp. 151-152, 199, 217, 239-240, 257, 259, 304-312, 316-317, 332-335, 363, 415-416, 422-423, 426-429, 479-489, 508, 536, 553-559, 561-567, 570, 573-575, 580, 584, 595-599, 603-612, 614-616, 618-620, 643-648, 655-656, 705-707, 787-788, 801-802, 804-805, 821-825, 827, 834-843, 850, 853, 856.

[CERTIFICATION AND SIGNATURE PAGE FOLLOWS]

The undersigned certifies that this designation contains no matter which is irrelevant to this appeal.



---

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Broilers, and Jim Young Broilers*

Columbia, South Carolina  
May 29, 2018

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Charles S. Blackmon and South Carolinians for  
Responsible Agricultural Practices,.....Appellants,

v.

South Carolina Department of Health and Environmental  
Control and Jim Young Broilers, .....Respondents;

CERTIFICATE OF SERVICE

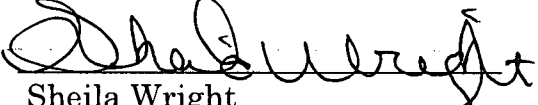
This is to certify that I have caused to be served this day one (1) copy of the  
Initial Brief of Respondents David Coggins Broilers, Heath Coggins Broilers, and Jim

Young Broilers and Designation of Matter to be Included in the Record on Appeal via the care and custody of the United States Postal Service with first class postage affixed thereto and addressed as follows:

M. McMullen Taylor, Esquire  
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Columbia, South Carolina  
This 29<sup>th</sup> day of May, 2018.

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**VIA HAND DELIVERY**

The Honorable Jenny Abbott Kitchings  
Clerk of Court, Court of Appeals  
1015 Sumter Street  
Columbia, South Carolina 29201

May 29, 2018

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Re: *Charles S. Blackmon v. SCDHEC*; Appellate Case No. 2017-002598

Dear Ms. Kitchings:

Enclosed to be filed in the above referenced action please find an original and one (1) copy of an **Initial Brief of Respondents Broilers** and **Designation of Matter to be Included in the Record on Appeal**. I would appreciate your accepting the originals for filing and returning the extra copies of these documents bearing your file-stamp via our courier.

By copy of this letter, I am serving a copy of this letter on all parties of record and enclose a Certificate of Service to that effect. If you have any questions, or need additional information, please do not hesitate to contact me.

Very truly yours,

**WILLOUGHBY & HOEFER, P.A.**



Benjamin P. Mustian

BPM/sw  
enclosures

cc: M. McMullen Taylor, Esquire  
Stephen P. Hightower, Esquire  
Robert Guild, Esquire  
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