

THE STATE OF SOUTH CAROLINA
In The Supreme Court

RECEIVED

FEB 25 2020

S.C. SUPREME COURT

APPEAL FROM THE ADMINISTRATIVE LAW COURT
Ralph K. Anderson, III, Chief Administrative Law Judge
Case No. 13-ALJ-07-0056-CC

Appellate Case No. 2018-000137

Preservation Society of Charleston,
Historic Charleston Foundation, Historic
Ansonborough Neighborhood Association,
South Carolina Coastal Conservation
League, Charlestowne Neighborhood
Association, Charleston Chapter of the
Surfrider Foundation, and Charleston
Communities for Cruise Control,..... Petitioners,

v.

South Carolina Department of Health and
Environmental Control and South Carolina
State Ports Authority,..... Respondents.

JOINT MOTION FOR EXTENSION OF TIME TO FILE PETITION FOR REHEARING

Respondents South Carolina Ports Authority (Ports Authority) and South Carolina Department of Health and Environmental Control (DHEC) (collectively Respondents) respectfully and jointly move the Court for an extension of time to file a Petition for Rehearing pursuant to Rules 221(a), 240, and 263(b) SCACR. In support of this Motion, Respondents state as follows:

1. This Court filed a published opinion in the above-captioned matter, Opinion No. 27949, on February 19, 2020, reversing and remanding the matter to the Administrative Law Court.

2. A petition for rehearing is due to be filed on or before March 5, 2020. Due to time constraints for personal and work obligations conflicting with the current deadline, counsel for Respondents Ports Authority and DHEC jointly request an extension of an additional fifteen (15) days to file respective Petitions for Rehearing.

3. If the Court grants this request, Counsel for the Respondents calculates that they will have until March 20, 2020 in which to file, if necessary, a Petition for Rehearing.

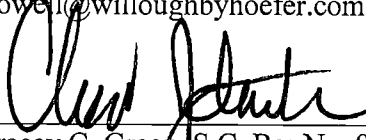
4. Counsel for the Respondents has consulted with Counsel for the Petitioners, and the undersigned is authorized to state that Petitioners consent to the granting of this request.

Counsel for Respondents Ports Authority and DHEC therefore respectfully request that the Court grant this Motion and extend the time for filing a Petition for Rehearing until March 20, 2020.

[SIGNATURE PAGE FOLLOWS]

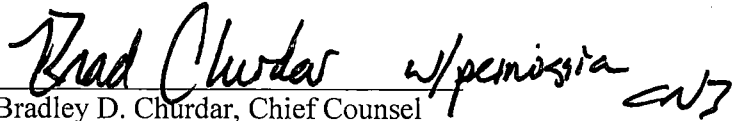
Respectfully submitted,

Randolph R. Lowell, S.C. Bar No. 16145
WILLOUGHBY & HOEFER, P.A.
151 Meeting Street, Suite 325
Charleston, South Carolina 29402
Telephone: (843) 619-4426
rlowell@willoughbyhoefer.com



Tracey C. Green, S.C. Bar No. 9342
Chad N. Johnston, S.C. Bar No. 73751
WILLOUGHBY & HOEFER, P.A.
930 Richland Street
Columbia, South Carolina 29201
Telephone: (803) 252-3300
tgreen@willoughbyhoefer.com
cjohnston@willoughbyhoefer.com

*Attorneys for Respondent South Carolina State Ports
Authority*



Bradley D. Churdar, Chief Counsel
**South Carolina Department of
Health and Environmental Control**
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405
churdabd@dhec.sc.gov

*Attorney for Respondent
South Carolina Department of Health
and Environmental Control*

February 25, 2020
Columbia, South Carolina

RECEIVED

FEB 25 2020

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM THE ADMINISTRATIVE LAW COURT
Ralph K. Anderson, III, Chief Administrative Law Judge
Case No. 13-ALJ-07-0056-CC

Appellate Case No. 2018-000137

Preservation Society of Charleston,
Historic Charleston Foundation, Historic
Ansonborough Neighborhood Association,
South Carolina Coastal Conservation
League, Charlestowne Neighborhood
Association, Charleston Chapter of the
Surfrider Foundation, and Charleston
Communities for Cruise Control,..... Petitioners,

v.

South Carolina Department of Health and
Environmental Control and South Carolina
State Ports Authority,..... Respondents.

PROOF OF SERVICE

This is to certify that I, Elizabeth Kurtz, a paralegal with the law firm Willoughby & Hoefler, P.A., have caused to be served on February 25, 2020, one (1) copy each of Respondents South Carolina State Ports Authority and South Carolina Department of Health and Environmental Control’s Joint Consent Motion for Extension of Time to File Petition for Rehearing by placing the same in the care and custody of the United States Postal Service with first class postage affixed thereto and addressed respectively as follows:

Amy E. Armstrong, Esquire
South Carolina Environmental Law Project
Post Office Box 1380
Pawley’s Island, SC 29585

Bradley D. Churdar, Esquire
South Carolina Department of Health & Environmental Control
1362 McMillan Ave, Suite 400
North Charleston, SC 29405

J. Blanding Holman IV, Esquire
Southern Environmental Law Center
463 King Suite, Suite B
Charleston, SC 29401

Jefferson Leath, Esquire
Leath, Bouch & Seekings, LLP
92 Broad Street
Charleston, SC 29401


Elizabeth Kurtz

Columbia, South Carolina
February 25, 2020