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May 17 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE ADMINISTRATIVE LAW COURT
Ralph King Anderson, III, Administrative Law Judge

Docket No. 19-ALJ-07-0089-CC

Coastal Conservation League,Appellant,

vs.

Debordieu Colony Community Association & South Carolina Department of Health and
Environmental Control,
..... Respondents,

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

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

Orders

1. Order of Consolidation, dated July 1, 2019
2. Order of Dismissal Docket No. 19-ALJ-07-0088-CC, dated April 3, 2020
3. Final Order, dated January 15, 2021

Pleadings

4. Request for Contested Case, dated April 5, 2019
5. Petitioner's Prehearing Statement, dated May 21, 2019
6. Respondent DHEC's Prehearing Statement, dated May 21, 2019
7. Respondent DCCA's Prehearing Statement, dated May 21, 2019
8. Petitioner's Amended Prehearing Statement, dated July 31, 2019

Transcripts

9. Transcript of Hearing, dated August 24-August 26, 2020

Exhibits

10. Petitioner's Exhibit 41
11. Petitioner's Exhibit 55
12. Petitioner's Exhibit 75
13. Petitioner's Exhibit 77
14. Respondent's Exhibit 1
15. Respondent's Exhibit 30
16. Respondent's Exhibit 32
17. Respondent's Exhibit 33A-D
18. Respondent's Exhibit 34
19. Respondent's Exhibit 45
20. Respondent's Exhibit 46
21. Respondent's Exhibit 48
22. Respondent's Exhibit 52
23. Respondent's Exhibit 55
24. Respondent's Exhibit 56
25. Respondent's Exhibit 57
26. Respondent's Exhibit 58
27. Respondent's Exhibit 59
28. Respondent's Exhibit 60
29. Respondent's Exhibit 61
30. Respondent's Exhibit 62
31. Respondent's Exhibit 63
32. Respondent's Exhibit 64
33. Respondent's Exhibit 65
34. Respondent's Exhibit 66
35. Respondent's Exhibit 67
36. Respondent's Exhibit 68
37. Respondent's Exhibit 69
38. Respondent's Exhibit 70
39. Respondent's Exhibit 71
40. Respondent's Exhibit 72
41. Respondent's Exhibit 73
42. Respondent's Exhibit 74
43. Respondent's Exhibit 75
44. Respondent's Exhibit 76
45. Respondent's Exhibit 77
46. Respondent's Exhibit 78
47. Respondent's Exhibit 79

I certify that this designation contains no matter which is irrelevant to this appeal.

s/Leslie S. Lenhardt

Leslie S. Lenhardt

Benjamin D. Cunningham

South Carolina Environmental Law Project

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Telephone (843)527-0078

Attorneys for the Appellant

Mt. Pleasant, South Carolina
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Certificate of Counsel

The undersigned does hereby certify that this Designation of Matter complies with SCACR 209(c) in that it contains no matter which is irrelevant to the appeal.

s/Leslie S. Lenhardt

Leslie S. Lenhardt

Benjamin D. Cunningham

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Attorneys for the Appellants

Mt. Pleasant, South Carolina
May 17, 2021

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STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

APPEAL FROM THE ADMINISTRATIVE LAW COURT
Ralph King Anderson, III, Administrative Law Judge

Docket No. 19-ALJ-07-0089-CC

South Carolina Coastal Conservation LeagueAppellant,

v.

South Carolina Department of Health and Environmental
Control and DeBordieu Colony Community Association,Respondents.

CERTIFICATE 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 May 17, 2021, to the Attorney Information System provided email addresses below, via the attached E-mail:

Tracey Green
Tgreen@WilloughbyHoefer.com

s/ Leslie S. Lenhardt
Leslie S. Lenhardt

Mt. Pleasant, SC
May 17, 2021

Sallie Phelan
phelansp@dhec.sc.gov

Debidue appeal Appellant's Initial Brief

From: [Leslie Lenhardt <leslie@scelp.org>](mailto:leslie@scelp.org)
To: [Tracey Green <tgreen@willoughbyhoefer.com>](mailto:tgreen@willoughbyhoefer.com), [Sallie Phelan <phelansp@dhec.sc.gov>](mailto:phelansp@dhec.sc.gov)
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[Bradley Churdar <churdabd@dhec.sc.gov>](mailto:churdabd@dhec.sc.gov), [Ben Cunningham <ben@scelp.org>](mailto:ben@scelp.org)
Subject: Debidue appeal Appellant's Initial Brief
Date: Monday, May 17, 2021 5:56 PM
Size: 662 KB

Tracey and Sallie,
Please find attached Appellant's Initial Brief and Designation of Matter. Thanks,
Leslie

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Leslie Lenhardt
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5-17-21 designation.pdf 109 KB

Debidue Initial Brief.pdf 252 KB

cover for initial brief and designation.pdf 121 KB



**SOUTH CAROLINA
ENVIRONMENTAL
LAW PROJECT**

Lawyers for the Wild Side

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May 17, 2021

VIA E-MAIL

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

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May 17 2021

SC Court of Appeals

Re: Coastal Conservation League v. DHEC & DeBordieu Colony Community Assn.
Appellate Case No. 2021-000158

Dear Ms. Kitchings:

Enclosed please find the Coastal Conservation League's Initial Brief and Designation of Matter in the above-referenced matter. Thank you for your kind consideration.

Respectfully,

Leslie S. Lenhardt
Staff Attorney

Enclosure

Cc: Tracey Green, Esq. (via e-mail)
Sallie P. Phelan, Es. (via e-mail)

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.