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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

Appellate Case No.: 2021-000158

South Carolina Coastal Conservation League, Appellant,

vs.

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

RESPONDENT SOUTH CAROLINA DEPARTMENT OF HEALTH AND
ENVIRONMENTAL CONTROL'S DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL

In addition to the matters listed by Appellant in its Designation of Matter on Appeal,
Respondent SCDHEC designates the following to also be included in the Record on Appeal:

Pleadings

1. Belle Baruch Request for Contested Case
2. Coastal Conservation League Request for Contested Case
3. Debordieu Colony Community Association Appeal from Coastal Conservation League Request for Contested Case
4. Debordieu Colony Community Association Appeal from Belle Baruch Request for Contested Case
5. Appellant's Initial Brief

Orders

1. Consolidation Order, Filed 07-01-2019
2. Final Order of Administrative Law Court, Filed 01-15-2021

Exhibits

1. Respondent's Exhibit 1

2. Respondent's Exhibit 1f
3. Respondent's Exhibit 29
4. Respondent's Exhibit 42
5. Respondent's Exhibit 43
6. Respondent's Exhibit 44a
7. Respondent's Exhibit 44b
8. Respondent's Exhibit 44c
9. Respondent's Exhibit 44d
10. Respondent's Exhibit 46

Transcripts

1. Administrative Hearing Transcript at 58:6-59:7
2. Administrative Hearing Transcript at 69:9-10
3. Administrative Hearing Transcript at 15:17-22
4. Administrative Hearing Transcript at 58:15-17
5. Administrative Hearing Transcript at 233:20-23
6. Administrative Hearing Transcript at 117:17-118:7
7. Administrative Hearing Transcript at 118:10-17
8. Administrative Hearing Transcript at 118:17-25
9. Administrative Hearing Transcript at 119:1-4
10. Administrative Hearing Transcript at 53:16-18
11. Administrative Hearing Transcript at 62:10-15
12. Administrative Hearing Transcript at 518:12-24
13. Administrative Hearing Transcript at 160:14-20
14. Administrative Hearing Transcript at 162:4-17
15. Administrative Hearing Transcript at 374:10-21
16. Administrative Hearing Transcript at 331:9-22
17. Administrative Hearing Transcript at 616:9-24
18. Administrative Hearing Transcript at 362:3-8
19. Administrative Hearing Transcript at 151:7-11
20. Administrative Hearing Transcript at 151:12-24
21. Administrative Hearing Transcript at 107:6-10
22. Administrative Hearing Transcript at 391:5-14
23. Administrative Hearing Transcript at 107:17-24
24. Administrative Hearing Transcript at 106:12-14
25. Administrative Hearing Transcript at 375:1-5
26. Administrative Hearing Transcript at 215:16-18
27. Administrative Hearing Transcript at 278:8-16
28. Administrative Hearing Transcript at 373:19-24
29. Administrative Hearing Transcript at 374:12-21
30. Administrative Hearing Transcript at 375:5-7
31. Administrative Hearing Transcript at 155:18-156:9
32. Administrative Hearing Transcript at 375:23-376:6

33. Administrative Hearing Transcript at 376:19-23
34. Administrative Hearing Transcript at 423:23-424:1
35. Administrative Hearing Transcript at 424:2-9
36. Administrative Hearing Transcript at 385:13-22
37. Administrative Hearing Transcript at 387:12-15
38. Administrative Hearing Transcript at 73:21-24
39. Administrative Hearing Transcript at 75:14-76:22
40. Administrative Hearing Transcript at 77:7-13
41. Administrative Hearing Transcript at 78:21-80:5
42. Administrative Hearing Transcript at 81:1-82:2
43. Administrative Hearing Transcript at 81:22-25
44. Administrative Hearing Transcript at 28:3-30:3
45. Administrative Hearing Transcript at 56:22-57:11
46. Administrative Hearing Transcript at 72:7-73:6
47. Administrative Hearing Transcript at 73:7-12
48. Administrative Hearing Transcript at 271:17-272:10
49. Administrative Hearing Transcript at 109:1-110:9
50. Administrative Hearing Transcript at 141:19-142:2
51. Administrative Hearing Transcript at 141:19-142:12
52. Administrative Hearing Transcript at 158:19-160:10
53. Administrative Hearing Transcript at 136:22-137:25
54. Administrative Hearing Transcript at 256:20-257:25
55. Administrative Hearing Transcript at 533:15-20
56. Administrative Hearing Transcript at 577:10-17
57. Administrative Hearing Transcript at 367:5-10
58. Administrative Hearing Transcript at 595:19-596:5
59. Administrative Hearing Transcript at 533:15-20
60. Administrative Hearing Transcript at 440:21-442:24
61. Administrative Hearing Transcript at 655:17-656:4
62. Administrative Hearing Transcript at 627:16-628:2
63. Administrative Hearing Transcript at 39:1-5
64. Administrative Hearing Transcript at 40:23-42:2
65. Administrative Hearing Transcript at 103:5-14
66. Administrative Hearing Transcript at 104:24-105:9
67. Administrative Hearing Transcript at 105:2-5
68. Administrative Hearing Transcript at 106:11-24
69. Administrative Hearing Transcript at 146:17-147:20
70. Administrative Hearing Transcript at 152:7-153:7
71. Administrative Hearing Transcript at 252:12-14
72. Administrative Hearing Transcript at 271:3-7
73. Administrative Hearing Transcript at 271:8-16
74. Administrative Hearing Transcript at 342:12-13
75. Administrative Hearing Transcript at 622:17-623:2

76. Administrative Hearing Transcript at 616:11-24
77. Administrative Hearing Transcript at 619:8-620:5
78. Administrative Hearing Transcript at 103:18-104:1
79. Administrative Hearing Transcript at 424:4
80. Administrative Hearing Transcript at 581:22-24
81. Administrative Hearing Transcript at 76:7-10
82. Administrative Hearing Transcript at 74:21-75:15
83. Administrative Hearing Transcript at 147:21-148:11
84. Administrative Hearing Transcript at 428:23-25
85. Administrative Hearing Transcript at 40:12-42:2
86. Administrative Hearing Transcript at 619:8-19

In accordance with Rule 209(c), SCACR I certify that this Designation contains no matter which is irrelevant to the appeal.

Respectfully submitted,



Bradley D. Churdar, SC Bar # 12829
Associate General Counsel
SOUTH CAROLINA DEPARTMENT OF
HEALTH AND ENVIRONMENTAL CONTROL
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Charleston, South Carolina 29405
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*Attorney for Respondent
South Carolina Department of Health
and Environmental Control*

August 16, 2011

Charleston, South Carolina

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South Carolina Coastal Conservation League,Appellant

vs.

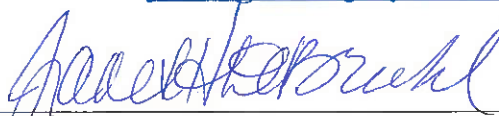
South Carolina Department of Health and Environmental
Control and DeBordieu Colony Community Association,Respondents,

CERTIFICATE OF SERVICE

I hereby certify that on this date I served the foregoing *Initial Brief of Respondent South Carolina Department of Health and Environmental Control and Designation of Matter to be Included in the Record on Appeal* upon the Appellants by via electronic delivery addressed as follows:

Leslie S. Lenhardt, Esquire
Benjamin D. Cunningham, Esquire
South Carolina Environmental Law Project
P.O. Box 1380
Pawleys Island, SC 29585
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Janet H. DeBruhl
debruhjh@dhec.sc.gov

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Charleston, South Carolina



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Via email to ctappfilings@sccourts.org

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

Re: *South Carolina Coastal Conservation League v. South Carolina Department of Health and Environmental Control & DeBordieu Colony Community Association*
Docket No. 19-ALJ-07-0089-CC
Appellate Case No. 2021--000158

Dear Ms. Kitchings:


Please find enclosed for filing Initial Brief of Respondent South Carolina Department of Health and Environmental Control and Designation of Matter to be Included in the Record on Appeal in the above-referenced matter.

By copy hereof, we are serving same via electronic delivery to all counsel of record as reflected in the enclosed Certificate of Service.

Please address all correspondence in this matter to my attention at 1362 McMillan Avenue, Suite 400, Charleston, South Carolina, 29405 and/or churdabd@dhec.sc.gov.

Thank you for your attention in this matter.

Very truly yours,


Bradley D. Churdar
Associate General Counsel

BDC/jhd

Enclosures

cc: Leslie S. Lenhardt, Esquire
Benjamin D. Cunningham, Esquire
Tracey C. Green, Esquire
Joseph Owen, Esquire