

APPEAL PANEL DECISION FORM

I. CLAIMANT AND CLAIM INFORMATION

Claimant Name	Last/Name of Business [REDACTED]	First [REDACTED]	Middle
Claimant ID	[REDACTED]	Claim ID	[REDACTED]
Claim Type	Wetlands Real Property		
Law Firm	[REDACTED]		
Parcel Address	Street	Parish/ County [REDACTED]	
	City	State [REDACTED]	Zip Code
Property Tax Assessment ID	[REDACTED]	Parcel ID	[REDACTED] [REDACTED] [REDACTED] [REDACTED]

II. DECISION

Denial Upheld

Denial Overturned

III. PRIMARY BASIS FOR PANELIST DECISION

Please select the primary basis for your decision. You may also write a comment describing the basis for your decision.

Claim should have been excluded.

Claim should have been denied.

Claim should not have been excluded.

Claim should not have been denied.

No error.

Comment (optional):

Decision comment uploaded

██████████

Claim ID No. ██████████

Claimant ██████████ appeals the denial of this Wetlands Real Property Claim. As grounds, Claimant provides a survey that he asserts demonstrates a slight overlap with the wetlands that are contiguous to the subject property. The Settlement Program determined Claimant's parcel "is not within the Wetlands Real Property Claim Zone" both initially, as well as upon his Request for Reconsideration. This appeal follows.

Exhibit 12A to the Settlement Agreement governs Wetlands Real Property claims. The Compensation Framework provides that an Eligible Parcel must be located within the Wetlands Real Property Claim Zone, which "shall be defined as the blue shaded portions of the Wetlands Real Property Compensation Zone Map" found in Appendix A, Exhibit 12A of the Settlement Agreement. An examination of the Wetlands Real Property Claim Zone Map provided in this record has a detailed view of Claimant's parcel and indicates that the Claimant's parcel is not within the Claim Zone. Claimant's parcel appears to be adjacent to the Wetlands Property Claim Zone, but not within it. Claimant's counsel's bare assertion that he disagrees with the Settlement program's interpretation of the maps and survey materials do not overcome the determination of the Claims Administrator, which appears to be entirely consistent with the Wetlands Real Property Compensation Zone map.

The Wetlands Real Property Framework provides two limited means for adding parcels to the Claim Zone should the parcel be documented as containing the presence of oil. No such assertion is made in this instance, and the record reflects no indication of the presence of oil.

Accordingly, the finding of the Claims Administrator is affirmed. Claimant's appeal is denied, and the Denial of the Claims Administrator is hereby upheld.