



Charlotte Harbor National Estuary Program
Policy Committee
Approved Minutes
May 18, 2009
Port Charlotte, Florida

Members Present:

Adam Cummings	Charlotte County BOCC
Wayne Daltry	Lee County Smart Growth (alt. for Ray Judah, Lee County BOCC)
T.M. Gurr	Gurr Professional Services for CFRPC
Jon Iglehart	FDEP, South District Office
Connie Jarvis	City of Cape Coral Environmental Resources
Tom Jones	City of North Port
Robert Kollinger	Polk County Natural Resources
Robert Loflin	City of Sanibel Natural Resources
Rufus Lazzell	SWFWMD
Don McCormick	SWFRPC
Jeffrey Spence	Polk County
Philip Stevens	FWC FWRI Charlotte Harbor
Jon Thaxton	Sarasota County BOCC
Kathleen Weeden	City of Venice
Tom Welborn	US EPA Region 4

Also Present:

Wilma Katz	CHNEP CAC
Lisa Beever	CHNEP
Liz Donley	CHNEP
Maran Hilgendorf	CHNEP
Judy Ott	CHNEP
Deborah Kooi	SWFRPC

1. Call to Order and Introductions

The meeting was called to order at 9:35 a.m. by Chairman Welborn. Introductions were made.

2. Agenda Additions or Deletions

Chairman Welborn asked if there were any additions or deletions to the agenda. Mr. Daltry asked that a briefing be added on the symposium.

3. Public Comments on Agenda Items

No public comments were made at this time.



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4. Policy Committee Minutes

MR. MCCORMICK MADE A MOTION AND MR. KOLLINGER SECONDED THE MOTION TO APPROVE THE MINUTES FROM THE MARCH 16, 2009. THE MOTION CARRIED UNANIMOUSLY.

5. FY10 WORKPLAN

The FY10 Workplan (October 1, 2009 to September 30, 2010) and amendment of the FY09 Workplan is included in this packet for the Management Conference to consider. Once approved by the Management Conference, it will modify the budget for the balance of FY09, as of July 1, 2009, and FY10 to conclude September 30, 2010.

Carry-over is represented in the FY09 amendment while the FY10 budget represents new funding. This budget included \$250,000 in cuts from the public information and education budget and \$150,000 in cuts to the technical projects budget. The budget reductions are related to the end of the unprogrammed \$1 million from 2002 and some reductions in local funding.

FDEP has recommended \$100,000 associated with the public interest requirement for a new marina (Best Western just west of US41) be granted to the CHNEP for CCMP implementation. The permit application is to go to the trustees in the next few weeks for approval or denial. CAMA has recommended contracting with them to implement CCMP priorities over a 2 year period, leaving a balance of \$8,000 to be applied to a public outreach project. The CHNEP contract with CAMA has ended, in part, because of the reductions to technical project funding.

TAC, CAC, and the Management Committee recommended approval of the FY10 Workplan.

Dr. Beever presented this item. The draft budget was presented at the last meeting.

Discussion ensued on public interest funding.

Mr. Iglehart asked about the public interest funding and wanted to clarify the issue that says the Policy Committee would entertain receiving public interest funding from development projects.

Dr. Beever said it would only be for this project. Future projects would be a workplan issue under the authority of the Policy Committee.

Councilman McCormick asked if this was expected to be brought before the Governor in June.

Mr. Iglehart stated that this will be presented to the Florida Cabinet on Wednesday.



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Mr. Lazzell asked if a city representative would be present as this was a very important issue for the city.

Councilman McCormick said that he would follow up on this.

Commissioner Thaxton asked how many slips were in the marina.

Councilman McCormick said that there were 40 moorings, but was not sure of the number of slips.

Mr. Iglehart said that there was a hotel on the south shoreline, with 70 slips and an approximate impact area of 8,000 to 160,000 s.f.

MOTION BY MR. LAZZELL AND SECONDED BY COMMISSIONER THAXTON TO APPROVE THE FY 10 WORKPLAN PLUS LATER POTENTIAL ADDITION OF \$100,000 IN PUBLIC INTEREST FUNDING. MR. IGLEHART ABSTAINED. MOTION CARRIED.

6. FATE AND TRANSPORT OF CALOOSAHATCHEE ETM SEDIMENT FINAL REPORT

Dr. David Fugate provided the CHNEP Program Office with the final report for the “Fate and Transport of Caloosahatchee ETM Sediment” project funded by CHNEP as an FY07 Research and Restoration Partners grant.

Estuaries trap sediment in high concentrations at localized regions called estuarine turbidity maximums (ETMs), which change location relative to river flows. ETMs provide habitat for planktonic and larval fish and affect dissolved oxygen, mixing and stratification. The Caloosahatchee River has a well developed ETM which migrates many kilometers, flushing into San Carlos Bay during heavy river discharges. The purpose of this project was to investigate the fate and transport of ETM associated suspended sediment in the Caloosahatchee Estuary during heavy freshwater flow. Project objectives were (1) determine at what freshwater flow ETM is flushed out of the Caloosahatchee River; (2) monitor salinity, temperature, stratification and suspended sediment levels over a tidal cycle in San Carlos Bay during high flow and (3) estimate the settling velocity of suspended particles in the water column. The complete report is available on the CHNEP website at www.chnep.org/Grants/R&R.htm.

The ETM dissipates in periods of low stratification (e.g. on a strong ebb tide) but forms in the location of high salt/freshwater stratification. Even during flows associated with hurricane Fay, the ETM never left San Carlos Bay.

TAC received the report on April 8 and discussed management recommendations. Suggestions included:



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- Identify areas of special protection such as significant nursery zones, benthic invertebrate hot spots, and nick points where ETMs tend to occur (e.g. at Beautiful Island)
- Manage flows and episodic pulses to support high productivity locations including phytoplankton production
- Manage flows and episodic pulses to reduce detrimental sediment concentrations
- Determine at what flow maximum productivity is generated at appropriate locations and set MFLs and other flows related to the productivity of the nursery zone

In fulfillment of SG-K: Present scientific information in a form readily understood by the majority of people, CHNEP staff developed a conceptual diagram to present ETM and productivity relationships.

TAC, CAC, and the Management Committee recommended acceptance of the report but not necessarily suggested management recommendations.

Dr. Beever and Ms. Ott presented this item. Dr. Beever began by reviewing the conceptual ETM diagram.

Discussion ensued on the discharges from Lake Okeechobee in the off season, freshwater versus warmer sea water, differences in density, higher turbidity, salinity and estuarine basins.

Ms. Ott said that the ETM is important for maintaining the estuary.

Dr. Beever stated that the TAC had outlined four areas of special protection.

Mr. Daltry stated that the locks on Lake Okeechobee were closed on the day of Dr. Fugate's report and addressed the topic of what occurs when the lake is opened and the firehose effect makes a plume visible from satellites.

Ms. Ott said she would look at the report in more detail but that a sample was taken on September 5.

MOTION BY COMMISSIONER THAXTON AND SECONDED BY MR. IGLEHART TO RECOMMEND THE POLICY COMMITTEE ACCEPT THE FY07 RRPP PROJECT "FATE AND TRANSPORT OF CALOOSAHATCHEE ETM SEDIMENT" FINAL REPORT. MOTION CARRIED UNANIMOUSLY.



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7. APPLICATION FOR VOTING STATUS ON CAC AND APPOINTMENT

The CHNEP **Citizens Advisory Committee (CAC)** members represent public concerns and transfer information back to their local communities, including distributing information to the public. The CAC provides a mechanism for citizens to advise the CHNEP. The committee works closely with staff to reinforce and maintain public support for the CHNEP, develop public participation strategies, and provide input on public education programs. Membership in the CAC is open to those interested in furthering the goals and objectives of the CHNEP.

As of May 2007, people can be nominated for voting member status by any voting member of the CAC. These nominations are then considered for appointment by the Policy Committee at their quarterly meetings (March, May, August and November). Voting members who have not attended CAC meetings during the previous 12 months automatically lose their voting rights. Non-voting members can give input only during the “public comment” segment of the CAC meetings.

The CAC nominated Al Yeno, Cliff Fredrickson and John Phillips for voting membership during their meeting on April 22, 2009. Also at that meeting, Jean Srodes submitted her resignation to the CAC as she had moved from the area.

Ms. Hilgendorf presented this item.

MOTION BY COMMISSIONER THAXTON AND SECONDED BY COUNCILMAN MCCORMICK TO APPROVE THE APPOINTMENTS OF AL YENO, CLIFF FREDRICKSON AND JOHN PHILLIPS AS VOTING MEMBERS OF THE CAC.

Discussion ensued on voting rights of members and attendance requirements.

MOTION CARRIED UNANIMOUSLY.

Walk-On Item – Watershed Summit Report

Mr. Daltry said that at the symposium last year, my understanding was that there were a number of technical speakers on the issues of the harbor and then you had a political speaker or two. I was presenting what I thought were the threats to the successful implementation of the CCMP based on these threats. For the scientists, they submitted abstracts and they were approved. There was a step by which we approved the abstract and accepted the abstracts for presentation. Now we are at the step where we are having the Florida Scientists Special Edition to give to the public this rendition. Comes now the question – how do you reject somebody who presented at the summit because apparently that has happened.



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Ms. Ott said that there were a number of papers that were presented for consideration for the Florida Scientist. The drafts were reviewed, the comments were sent back to the authors and then the authors responded to what those comments were. There were about 14 papers submitted. One of those papers had three peer reviewers for it and there were questions about some of the statistical methods and the authors decided not to incorporate the changes recommended by the peer reviewers in different conversations, so the Florida Scientists editors decided that the presentation didn't meet the technical standards for the Florida Scientist. They suggested that the authors submit the paper to a different journal. They had the opportunity and had a clear direction for changes that needed to be made in the explanation of their methods to fit the rigorous scientific standards that the Florida Scientist required and these changes were not incorporated, so the paper was rejected. It doesn't mean that the presentations aren't available on the website as part of the Watershed Summit. They are with all the other presentations that were given.

Mr. Daltry said that the statement is that the changes were not incorporated.

Ms. Ott said that the recommended changes by the peer reviewers that were suggested by the guest editor of the Florida Scientist were not incorporated into the document.

Mr. Daltry said that the story he had heard was the reverse, so is the guest editor anonymous?

Ms. Ott stated that it was not as they have a contract for guest editing.

Mr. Daltry said that he heard that the changes were incorporated and that the word that was received was that an anonymous guest editor had caused the paper to be rejected. Needless to say, this is where we go from science to personality politics and I am doing my best to not have that occur. I went back to them and said that he was hearing that they didn't incorporate the changes.

Ms. Ott said that she could go back and look for more specific information and talk with the Florida Scientist folks and look at specific comments that were not incorporated. It was a pretty substantial recommendation for changes in the analysis. Ms. Ott said that her understanding was that the idea was to give the scientists the opportunity to do more regular statistical analyses than they had time to in the first presentations and this was the purpose of the Florida Scientist is to capture more technical information.

Mr. Daltry said that as money went into this research, he was trying to track down where this miscommunication happened.

Dr. Beever said that she would find out the specifics and pursue the matter.



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8. RESERVOIR WORKSHOP UPDATE

The CHNEP is hosted a 2-3 day technical workshop to discuss and gain a better understanding of the benefits and impacts of reservoirs within the greater Charlotte Harbor Watershed. The workshop was held April 13-15 in Punta Gorda at the Charlotte County Event and Conference Center. The purpose of the Reservoir Workshop was to provide a forum for the exchange of technical information between scientists and citizens about the location, design, benefits and impacts of existing and proposed reservoirs on freshwater, estuarine and groundwater water quality, hydrology and habitats in the CHNEP watershed. The workshop implements the CHNEP Comprehensive Conservation and Management Plan (CCMP) 2008 Update Priority Action:

- HA-K: Identify the hydrologic and environmental benefits and impacts of surface waters on estuaries within the CHNEP watershed.

Workshop Goals included:

- Clarify understanding of what reservoirs are and how they are designed and managed.
- Compile locations of existing and proposed reservoirs throughout the watershed.
- Exchange technical information on the potential benefits and impacts of reservoirs.
- Exchange technical information on alternative reservoir management and designs.
- Summarize existing policy, planning and regulatory considerations of reservoirs.
- Discuss options to enhance consistency of reservoirs with CHNEP CCMP.

Workshop Format included: background materials to review before attending the workshop, a pre-workshop survey, technical presentations and posters, and a variety of facilitated, interactive activities to allow for exchange of information, ideas, questions and answers between the workshop participants. Expected Workshop Outcomes and Proceedings include:

- Background materials in PDF format is available via the CHNEP website and CD.
- Presentations and Posters in PDF format will be available via the CHNEP website and CD.
- Workshop Document, including summaries of discussions and recommendations for research, monitoring and/or management projects and programs, will be available via the CHNEP website and CD.

The Florida Conflict Resolution Consortium will prepare a summary of the workshop events for review and refinement by the Management Conference.

Mr. Daltry stated that the recommendation should be that the report and the CCMP should be reviewed to see if alterations are necessary.

Ms. Ott presented this item and reported that 130 people attended. There were 24 presentations which were divided into six sessions. Three renowned peer reviewers helped us interpret technical presentations. The facilitators helped track citizen input. The workshop results will be



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combined into report by the facilitators which will be brought back to the Policy Committee for peer review.

Mr. Lazzell said that a few of these issues are going to be contentious and wanted to make sure that there would enough time to review the report.

Dr. Beever said that the TAC would review the report on July 8th.

9. CLIMATE CHANGE PRESENTATION

The Charlotte Harbor National Estuary Program (CHNEP) was named one of six Climate Ready Estuary pilot projects by the Environmental Protection Administration (EPA). The designation came following the amendment of the CHNEP plan to incorporate climate change actions (SG-Q). CHNEP and its host agency, the Southwest Florida Regional Planning Council (SWFRPC), are preparing 3 distinct but interrelated projects to address climate change issues. They include:

- A Vulnerability Assessment for the shared areas of the CHNEP and SWFRPC;
- An Adaptation Plan for a small city (City of Punta Gorda); and
- Assessment of the Southwest Florida Feasibility Study (SWFFS), related to Everglades Restoration projects.

Through a literature review, 79 climate effects were identified for the Vulnerability Assessment. These effects were grouped into 12 categories for analysis. Variable sea level rise risk was addressed through evaluated the least severe case (5"), moderate case (9.4"), and worst case (16" by 2050).

The City of Punta Gorda was selected as the site for the Adaptation Plan because the City had updated its comprehensive plan to include climate change issues of sea level rise. The City Council voted unanimously to participate. The Adaptation Plan development began with a citizen workshop that included about 30 participants. Citizens identified and prioritized vulnerabilities and, then, identified over 100 potential adaptations.

The Southwest Florida Feasibility Study was analyzed to assess the likely persistence of restoration investments in a world of sea level rise. It was found that SWFFS protects elevational and latitudinal gradients, reduces non-climate stresses, and protects freshwater resources. Furthermore, 85% of the project sites are above the year 2200 worst case scenario for sea level rise. The important component of most of the remaining 85% is to restore freshwater flows to original estuaries, reducing non-climate stresses and protecting freshwater resources. The video presentation for this work can be found at: http://sofia.er.usgs.gov/geer/2008/transcripts/geer_transcripts.html.



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CHNEP and SWFRPC are addressing the complexities of climate change through different scales, with different stakeholder groups, and using as much available information as possible.

As a Climate Ready Estuaries pilot, CHNEP has received much attention both state-wide and nation-wide. Lisa Beever will present a summary of these efforts.

Dr. Beever presented this item. The Charlotte Harbor NEP was the first NEP to address the climate change issue in the CCMP.

Discussion ensued on habitat migration and the draft Adaptation Plan.

Commissioner Thaxton asked if the model assumed that despite elevation that Punta Gorda Isles is more susceptible to sea level rise.

Dr. Beever said that depended on which dataset was used for the model.

Ms. Weeden stated that Sarasota was in the process of using LiDAR to create all the flood plain maps.

Dr. Beever stated that the first public workshop was held on April 9th. Two more public workshops will be held on June 2nd and September 3rd. At the April 9th workshop, attendees were asked to fill out a survey with respect to their experiences with Hurricane Charley and opinions on climate change.

Dr. Beever stated that she also gave a presentation at the Capitol Hills Oceans Week in the first part of June wherein she reviewed restoration projects for stream flow. Additional funding would be coming for projects in the form of technical assistance. Staff will be pursuing development of environmental indicators related to climate change.

Commissioner Thaxton asked if there was a cost estimate for Tier 1 and Tier 2?

Dr. Beever said the cost would be in the billions.

Discussion ensued on keeping saltwater from getting into the groundwater.

Mr. Daltry said that the warming cycle can trigger abrupt climate change. Build back analyses needs to be done every decade.

Commissioner Cummings asked what examples do we have in the U.S. that don't have build back analyses.



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Mr. Daltry said that Upper Captiva would be an example.

Commissioner Cummings expressed that one of his frustrations is that to be eligible for the FEMA grant that the property has to be developed and flooded three or four times.

Ms. Ott said that two years ago the Gulf Guardian Awards gave an award to a group of local elected officials from parishes along the gulf that worked together on their initiative to redevelop area flattened by Hurricane Katrina.

Commissioner Cummings stated that this area has generous private land uses but that couldn't be done at local level as couldn't afford it.

10. TAC REPORT

Greg Blanchard, John Ryan, or Elizabeth Staugler, TAC Co-Chairs, will present the TAC Report.

Ms. Ott presented this item and provided TAC report. The TAC met on April 8th. Presentations from the Science Forum are available on the website. There were ten presentations on habitat restoration. The next Science Forum will be on June 10 in Bartow to take a look at the Nature Center at Lake Hancock with a boat and field trip. She encouraged the participation of the Policy Committee. The TAC will meet July 8th in Arcadia and an update on the Reservoir Workshop and the Florida Scientists will be presented at this meeting.

11. CAC REPORT

Wilma Katz, Kayton Nedza or Bobbi Rodgers, CAC Co-Chairs, will present the CAC Report.

Ms. Katz presented the CAC report. We met on April 22nd at which three co-chairs were elected. The next meeting will be on July 15th in Arcadia. On October 21st the meeting will be at the Six Mile Cypress Slough Reserve which is a green building. We will also be meeting on September 2nd to work on the calendar.

12. ESTERO BAY ABM REPORT

Lisa Beever will present the ABM Report.

- On March 9, Ms. Mary Gibbs provided an update with respect to rock and earth mining in the DRGR. A moratorium in Lee County was in effect for one year which expired this past September. Prior to the expiration of the moratorium, Lee County was working on a plan as to what should happen with respect to mining in the DRGR. The consulting firm,



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Dover-Kohl, was hired to work on changes. Lee County staff is presently working on a water model, water budget, etc.

- On April 20, Jim Beever delivered a presentation on the Southwest Florida/Charlotte Harbor Climate Change Vulnerability Assessment funded by EPA through the CHNEP.

Dr. Beever presented this item. Ms. Gibbs provided an update on rock and earth mining in the DRGR. On April 20, Mr. Jim Beever gave a presentation on the Climate Change Vulnerability Assessment.

13. NEP PROGRAM REPORT

Dr. Beever presented this item.

Ms. Ott and Dr. Beever attended the Seagrass Working Group in SWFWMD Sarasota. Survey results had been released by the Water Management District. The SWFWMD piggybacked on contract using same method and flight dates which has resulted in a consistent map.

Ms. Ott said that the TAC helped with Lemon Bay Watershed Management Plan meeting sponsored by Sarasota on March 21st. Staff attended Water Conservation Policy Summit as it was an idea to get commitment and recognition from local officials and citizens about water conservation residential areas through SWF region. The Reservoir Workshop was held on April 13th and 14th. Staff will continue to work with Coast Charlotte Harbor Monitoring Field Audits and a meeting will be held to see if the water quality monitoring efforts have to be tweaked. Fisheries Independent Monitoring will begin in June. A follow-up date will be set for the shoreline survey.

Ms. Hilgendorf gave a report on the Children's Book. School Districts had been approached to distribute the book. This year a grant was received to help support this project. Eight to ten websites will make the book available to interested parties. She also stated that the book will be translated into the Asian language. Proceeds from the sale of the book will help pay for next year's printing.

The newsletter had been expanded to 16 pages with two center pages devoted to a poster. Staff was currently working on the 2010 calendar. A survey will be available on the website by the end of July to help select the pictures for the calendar. Calendars should be distributed by the end of October.

The Peace River Environmental Education Network held a meeting in April at the Polk Nature Center. The Charlotte Harbor Nature Festival will be held on November 21, 2009 at the Charlotte County Sports Complex. Ms. Hilgendorf asked for help in obtaining sponsors for the



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festival. There will be approximately 60 exhibitors. Every year, the National Estuary Day is held on the last Saturday in September. She asked the Policy Committee members to think about whether this should continue to be held in September since the peak of hurricane season is in August and September.

The Charlotte Harbor NEP has been asked to host the Association of National Estuary Program meeting in November 2010. Staff is presently working on the logistics for this event.

Ms. Donley said staff was waiting to hear about the NOAA \$8.5 million restoration project on Lee County 2020 lands and Charlotte Harbor preserved state park lands. She had just received an e-mail that they were having trouble with evaluations, so the final decision will not be out until late June or July. Staff was looking for additional dollars to support Climate Ready Estuary Work. On July 1st and 2nd a green infrastructure workshop was being held to discuss treating of stormwater after rain events using green infrastructure technology. There will be presentations from other local municipalities and planners. The Charlotte Harbor NEP was chosen to be on the EPA Climate Infrastructure Workgroup. A draft report should be available by the fall.

Agenda Item #14 – Member Comments – Members announce upcoming events or current issues

Mr. Daltry said Lee County has been active in several matters such as the River Grass purchase. He recommended that the CHNEP conduct a review as there is a six day commentary period. Senate Bill 2028 passed the legislature which stated that the Executive Director of the Water Management District issues permits. Now that this is being done at the staff level, revised instructions from this board will be necessary as to how to respond to permits. He thanked the US Army Corps of Engineers and the Water Management District as there have been enough regulatory releases of the Caloosahatchee to maintain core estuary productivity.

Commissioner Cummings said that we should taken into consideration the impacts of the reservoirs.

Ms. Ott said that staff would provide a draft report.

Mr. Lazzell asked about the runoff from the septic systems.

Mr. Iglehart said that the septic systems are regulated by the Health Department. We offer our State Volume Funds and work hard at upgrading facilities that come under the Water Management District regulatory authority.



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Commissioner Cummings said that the Health Director stated that the septic tanks are fine with four per acre to which Commissioner Cummings replied that it would then be okay to purchase 200,000 in Charlotte County at that density.

Mr. Lazzell invited everyone to have lunch here at the Cultural Center of Charlotte County.

Ms. Ott said that the RR&P project is to support Charlotte County Dept. of Health to look at impact of septic systems.

Agenda Item #15 – Public Comments

None

Agenda Item #16 – Next Meeting’s Topics, Location and Date – SFCC in Arcadia, Monday, August 17, 2009

- Potential Policy Committee Orientation
- FDEP CHEVWQMN Optical Model Final Report
- Water Quality Targets Refinement Segmentation Scheme
- Lower Peace River/Shell Creek MFL

Dr. Beever reviewed the topics.

Commissioner Cummings asked about established minimum flow as there was no legal defensive cutoff level.

Mr. Daltry said that Lee County has legally defended MFL.

Agenda Item #17 – Adjourn

Meeting adjourned at 12:30 p.m.