



State of Delaware  
Homeland Security Advisory Council  
(HSAC)

## Minutes

11/19/14

0900-1100

Public Safety Building  
Main Conference Room  
303 Transportation Circle  
Dover DE 19901

### 1. Welcome, Call to Order, and Room Introductions

- The meeting was called to order by Secretary Lewis Schiliro at 0900 hours. Those in attendance were as follows:

#### Voting Council Members

Secretary Lewis D. Schiliro	Department of Safety & Homeland Security - <b>Chair</b>
Raymond Holcomb, HSA	Department of Safety & Homeland Security – <b>Co-Chair</b>
Lt. Colonel Monroe Hudson	Delaware State Police
LTC Angela Showell	Delaware National Guard, Deputy Director/Military Support
Director Jamie Turner	Delaware Emergency Management Agency
CIO James Collins	Department of Technology & Information
Chief Robert Legates	Department of Natural Resources & Environmental Control
Steve Blessing	DHSS/Division of Public Health
Warren Jones, EM	Delaware Volunteer Fireman's Association
Ed Klima	Emergency Services Coordinator, Dover Motorsports Inc. (DMS)

#### Voting Designee

Dwayne Day, HS Planner	Department of Transportation/TMC, Alternate
John Sadowski	Department of Education
Warden David Hall	Department of Corrections, Special Operations

## **Non-voting Attendees**

### **Council Support**

Captain Daniel Meadows  
Dee L. Rivard

Delaware Information & Analysis Center (DIAC)/OIC  
Department of Safety & Homeland Security, OSEC

### **Council Legal Staff**

DAG Lisa Morris

Department of Justice, Civil Division

### **Federal, State & Local Partners**

Trevor Wilson

U. S. Department of Homeland Security (DHS)/DIAC  
Liaison

Ken Greeson,

U. S. Department of Homeland Security (DHS)  
Protective Security Advisor

### **Additional Non-voting Attendees**

Colonel Dallas Wingate

Elayne Starkey, CSO

Joseph Wessels

J. Allen Metheny, Treasurer

Jennifer Dittman

Lt. Colonel Mike Howard

Delaware National Guard  
Department of Technology & Information  
League of Local Governments (LLG)  
Delaware Volunteer Firemen's' Association, Designated  
Representative  
Delaware Emergency Management Agency, Planning  
Supervisor  
Delaware River & Bay Authority Police

### **Absent Voting Council Members**

Commissioner Rob Coupe

Gene Donaldson, TMC Mgr.

Secretary Ed Kee

Chief William Topping

Colonel Richard Arroyo

Director Jennifer Cohen

Joseph Aviola, President

Walter J. Billings, WATO

George "Jody" Sweeney

Michael McLean,

Wayne Smith, President

Mayor Donald Tinari

Department of Corrections  
Department of Transportation/TMC  
Department of Agriculture  
Delaware Police Chiefs Council, Chair  
Delaware River & Bay Authority, Chief of Police  
DeIDOT/Division of Motor Vehicles  
Wilmington University  
Dover Air Force Base, Wing Anti-Terrorism Advisor  
President/Councilman DE Association of County  
Governments  
Amtrak, Regional Emergency Mgr. & Corporate Security  
Delaware Healthcare Association  
Delaware League of Local Governments

## **2. PUBLIC SESSION – Call to Order**

- Secretary Schiliro called the meeting to order introducing Lt. Col. Mike Heller who comes to us from the FBI and is sitting in for Colonel Arroyo today. He feels that this is a good thing for Delaware to have as Mike comes to us directly from Quantico. Mike was born and raised in

Philadelphia having come from a police family and serving for two different departments prior to joining the FBI to primarily work east of the Mississippi. His last position was as Bureau Chief where he was responsible for 56 different departments. His son is a DSP Trooper assigned to Troop 7.

- Secretary Schiliro announced that Col. Dallas Wingate is moving on after having accepted a promotion. He introduced LTC Angela Showell from the Delaware National Guard who is Col. Wingate's designated replacement. She has been a part of the Delaware National Guard for 39 years serving in various positions including company command and serving as the Colonel's Deputy for the past year. She looks forward to working with everyone and trying to fill the Colonel's boots. Col. Wingate announced that it is bitter sweet when you are moving on to fill an operational void but leaving where your heart really is located. His new role is as the Joint Chief of Staff. He thanked everyone for all of their work together.
- Secretary Schiliro talked a little about Ebola after having done a TTX a week ago stating that it is a medical issue and that is important that we keep it at that.

### **3. Approval of Minutes**

- Colonel Wingate made a motion to approve the public session minutes as edited by Elayne, which was seconded by Lt. Col. Monroe Hudson and unanimously approved by voting members of the Council in attendance.
- Lt. Col. Hudson made a motion to approve the executive session minutes of the last meeting as presented, which was seconded by Dwayne Day and unanimously approved by voting members of the Council in attendance.

### **4. Recurring Business:**

- Strategy – N/A
- DIAC Governance – N/A
- Security Briefings:
  - 1) DIAC briefed members on international, national, regional, and local security events that occurred since our last meeting.
    - Rob Tinkerton prepared a brief on Agro-terrorism attacks on a country's agricultural sector using physical, chemical or biological means advising that it has been used by

state actors, eco-terrorists, etc. Agro-terrorism was used during WWI with Glanders, WWII with Anthrax in the 70s non state actors began using Agro-terrorism. Recent Examples of Agro-terrorism include Jaffa oranges, Southern CA medflies, fur farm arsons and liberations, GMO crop destruction, and chicken, pheasant and deer farm liberations.

- The potential impact in Delaware affects our poultry industry with 672 broiler farms located in DE, 4,499 chicken houses worth over \$100,000 and \$211 million in broiler farm production. It would impact grains with over 200,000 acres of grains, in addition to significant fruit and vegetable productions and related facilities like meat processing and fertilizer businesses.
  - **Captain Meadows** advised if we have an attack that would occur to Delaware agriculture the economic impact would be very large so outreach is very important.
  - **Ray Holcomb** advised that Secretary Kee couldn't be here today as he is dealing with an issue related to Chilean produce. There has been an outbreak of avian influenza in France, although it is not the deadly form but rather the form that stays within the bird population. Anytime HSAC needs information Secretary Kee can connect us with the right points of contact because Agriculture monitors outbreaks internationally.
  - **Colonel Wingate** stated that Delaware has been down this road before and is very proactive in depopulating farms because they do not want this type of outbreak in Delaware. Agriculture has some very good plans out there that are over-arching to touch on related issues and threats that we deal with at HSAC.
- 2) **Ray Holcomb** provided members a Homeland Security Briefing. Ray referred to his pyramid threat level. This is our attempt to simplify the threat picture for Delaware and to structure it uniquely for Delaware. We would like to look at this and we are open to your questions and comments. Do not construe this as a prioritization as at any time it could change. It will be reviewed and updated on a quarterly basis. Ray wants members to take this document, read it, and consider how its concerns affect your organizations, what you are doing to address these concerns and what we specifically the DIAC can do to help you address these concerns. These are criminal concerns not all-hazards.

Captain Meadows when it comes to the importance of preparedness and investigation he would argue that they are equally important throughout this threat matrix. What does this

threat stream really mean to your organization and are you getting the information that you need to bridge that gap. As we meet quarterly to determine if the prioritization of these threats remains relevant.

CIO Collins questioned why the pyramid? Captain Meadows felt that certain threats are going to prove to be more important today with a great deal of concern to first responders and those in uniform for safety. He stated that we have to rank how we are investing our time on a daily basis not becoming so focused on one threat that we are ignoring other threats. Ray Holcomb told members that from a likelihood standpoint the active shooter or the attack with edged weapons are the most likely to be pulled-off. There are certain things that common sense tells us are more likely to occur. CIO Collins advised that when someone looks at that diagram from a visual perspective it looks like this is it in order of priority.

- Grant Coordination – N/A

#### **Dates to Remember**

##### 5. Old Business

- NA

##### 6. New Business

- NA

##### **7. State, Federal, Local & Private Briefings**

- **Steve Blessing** provided a briefing from the Division of Public Health. Steve Blessing announced that DPH is in about week 8 of actual response on Ebola. He emphasized that the good news is that there are no cases of Ebola in Delaware. SHOC Level I means that there is a heightened awareness by key public health workers who participate in telephone and conference calls to maintain situational awareness. DPH is currently monitoring 12 low-risk individuals. At one time we had 30 but most of them have fallen off after their 21 day waiting period. All individuals are compliant. Screenings and safety measures depend on individuals telling the truth and not hiding things. Over the last couple of weeks the media focus has shifted to other things. Steve emphasized that it is very difficult to catch the disease. Once infected it is very difficult to treat with the cost for medical treatment staggering due to requirements for a negative-pressure air-handling system, special PPE gear, and other equipment and procedures intended to reduce physical contact.

- DPH is currently trying to accommodate the CDC's request to have one hospital in each state designated as a treatment center for Ebola. He put it in perspective for members by sharing that a hospital as large as Christiana can only accommodate 1 Ebola patient. Currently there are 4 Ebola treatment hospitals designated in the country. The National Institutes of Health in Bethesda, MD, Nebraska Medical Center in Omaha, Nebraska, the Texas Health Presbyterian Hospital in Dallas, TX, and Emory Hospital in Atlanta, GA which are all capable of handling one patient. The last few weeks in terms of working through all of the questions that people did not want to deal with including quarantine, remains, etc. has helped us to go from general concepts and plans to drill down to an operational level. We now know what we are going to do now although there are a couple of things left to deal with including how to handle the medical waste and removing it from the state. Looking for move of an hour to an hour and a half response in terms of what a potential case is presenting with. This has been tested several times already. Some of which some of you are aware. Not sending a large response initially now. Instead we are getting on the phone and talking about it to see who is going to respond with what equipment. The CDC is able to verify flight manifests in minutes in order to rule them out as possible Ebola patients. They have modified some of their internal Public Health procedures. Each time they respond to a potential Ebola patient they are improving their procedures and protocols. The policies they have in place now will be able to be used going forward in the future for any infectious disease outbreak. Steve briefed members on the Fatality Management Plan that is not related to Ebola and stated that he is working with Homeland Security on a fatality management plan. DPH plans to run a TTX on the Fatality Management Plan sometime in May.
- Secretary Schiliro stated that after the issue at OCME a consultant came in and discovered that they did not have a plan in place for dealing with mass fatalities. Steve has been great in working with DFS to put that plan in place in order to be able to respond appropriately.
- Ray advised that the plan is between 70 - 80 % finished; however at some point law-enforcement needs to have eyes on the plan.
- Colonel Wingate also requested to receive a copy of the plan since the DNG has a DMORT in place and a fairly robust relationship with DAFB who has an excellent plan in place.
- Steve stated that the 30 referrals that he referred to earlier the Division of Public Health is working with the Governor's Office as to which of the 4 levels patients potentially exposed to Ebola are on, which in turn determines Delaware's recommended protocols for coordinating isolation, response, and medical care if necessary. For the most part the majority of Delaware's reported persons have all been very low risk and are being asked to self-report their temperature twice per day. Public Health is working with the CDC to down grade the one Delaware citizen who was a known traveler from Sierra Leone to a lower risk at this time so that he can circulate with people. Across the board all patients that are monitored have their addresses placed in the dispatch system in case a response is

called to be aware. However, only 1 to 2 people in each county have access to that information. We know how many people are in each dispatch area and county.

- Captain Meadows thanked Public Health for the partnership in evaluating and sharing best practices. World Health is reporting over 14,000 cases with over 5,000 deaths. In every brief that he has attended thus far it seems to be very unlikely that Ebola would be used as an emerging terrorist tactic. All necessary equipment has been ordered in conjunction with public health.
- Steve told members that when an individual actually becomes virulent enough to begin transmitting the disease they have already been tested and are sick enough that they are usually already hospitalized and being treated.
- He stated that it is possible that some funding is coming through both the PHEP Grant and their Hospital Grant. On the hospital side they plan to use the funding to assist in developing the one hospital certified to treat Ebola in Delaware.
- Steve advised that the big threat right now is the flu. He told members that Delaware has already had one death from the flu. He encouraged everyone to take precautions when around people with flu like symptoms.
- **Captain Meadows** feels that first responders are better prepared than law-enforcement advising that the greatest vulnerability is training in donning and doffing the PPE equipment.
- **Secretary Schiliro** stated that currently, a series of questions occurs now whenever a call is received by a dispatch center in order to better qualify the risk.
- **Steve Blessing** advised that the idea is to bring a patient in and assess their need to test for Ebola in conjunction with the hospital's infectious control team. Delaware has not had anyone that required a test yet.
- **Colonel Dallas Wingate** advised that the DNG is approaching it a little differently as they have a blueprint from the past. DNG is approaching it as an infectious disease control period. The majority of this is all about medical treatment and the news media. DNG put together the best of the best of their medical staff. He feels that we need to be very careful about what we are saying about this issue and that DNG is deferring it to the correct person to respond. Ebola is a gastrointestinal issue. The National Guard is slowing down on using the word quarantine. Advising perhaps to look at using voluntary isolation or assisted isolation. For the sake of keeping our medical advisory panel on focus and tied into your organizations. Colonel Wingate asked Steve Blessing who his department's single point of contact is for planning purposes.

- Blessing responded that it would be either himself or Diane Hainsworth from his office. Steve stated that according to state law, quarantine is a word that is in the law so DHSS/DPH is using that word.
- **Colonel Wingate** learned during the avian flu pandemic that the word quarantine triggers an economic loss which DNG does not want to be associated with.
- **Steve Blessing** advised that DPH quarantines people on a somewhat regular basis with Tuberculosis and has worked through details that they have never worked through before by observing and taking best practices from Texas. For the most part in Delaware DPH is looking at very limited quarantine for people exposed to those most virulently sick with Ebola. He advised that equipment used in the field is droplet protection and that his agency has pushed out information on where to purchase those kits. Typically it is basic droplet protection so a responders in the field and just use surgical masks and do not need to purchase AS-45s. He will have Diane Hainsworth send over the specifications for purchases. In the hospital and DECON environment; however, they are doing something different. Jennifer Dittman advised members that Homeland Security funding can only be used to purchase the equipment as long as it is dual purpose and not specifically for Ebola.
- **Secretary Schiliro** stated that we live in a state where the Governor has allowed the medical professionals to run this and that does not happen often.

**Secretary Schiliro** worked with DSP and DIAC on the issue of the ISIS threat and feels that it is crucial that we adopt protocols and plans. For Delaware not to have some plan or visibility is a mistake. He requested a Surge Plan development from law-enforcement partners mainly as a deterrent. Hopefully over the next week or two you should see and increased presence at Amtrak and transportation.

**Captain Meadows** announced that Amtrak, DRBA, Wilmington PD, and DSP in conjunction with the TSA will stand up a TTX next Wednesday which is the busiest travel day of the year. Want to carry the same plan down to the Ferry Terminal and to the New Castle County Airport to have a uniformed presence in place as a deterrent. Lt. Col. Monroe Hudson stated that the preferred method of attack is small arms, edged weapons and attacking what most makes us feel comfortable which includes first responders and our buildings.

Lt. Col. Mike Howard fully supports and feels that the visibility in place is huge in and of itself and could act as a deterrent as well as making officers better prepared. He stated that in New York City the National Guard still plays a part in active security with rail system.

**Secretary Schiliro** spoke with Philadelphia about trying to arrange a joint venture with them on SEPTA.

- He told members that first and foremost this is a public body and while we are not going to change that it does however, impact our ability to brief members on issues that could affect the State of Delaware which would require members to obtain on a voluntary basis a

SECRET DOD Security Clearance. For those who do not want to obtain the clearance, that is fine; however, for the purposes of getting our members up to speed on issues that are happening around the world, it is necessary.

- **DAG Morris** announced that there is a FOIA provided exemption for intelligence files and investigations. It is her belief that we can have these types of discussions although if minutes are going to be prepared they would need to be prepared as requiring a Security Clearance.
- **Dwayne Day** advised that the current meeting room could not be used for discussions classified at a National Security Level.
- **Secretary Schiliro** wants to be able to encourage open information. He does not think that it is going to be something that will happen at every meeting. He asked DAG Morris to determine if the requirement for a quorum is waived if going into a SECRET briefing and all members do not have a SECRET level clearance.
- **Dwayne Day** stated that Gene Donaldson is DeIDOT's primary representative to the Council; however, Gene does not have a SECRET level clearance while Dwayne does.
- **Secretary Schiliro** would like to draft regulations that would apply to those Council members that hold a SECRET Clearance, as well as others that have the SECRET clearance and whose attendance is pertinent to the meeting.
- **Colonel Wingate** advised that the deciding factor is really "need to know." He believes that Secretary Schiliro can authorize people to hear the information because they have a "need to know." He volunteered LTC Showell to look into the information and get back to Secretary Schiliro. LTC Showell added that the Guard has the facilities to accommodate the Council meetings.
- **Director Jamie Turner** inquired if it is the Secretary's intent to recognize all agencies that currently allocate security clearances? E.g. DHS, DOD, FBI, NERGY.
- **Colonel Wingate** advised that we would have to determine what is the standard for the clearance? Whether or not they are interchangeable? Dwayne Day advised that he previously looked at that issue years ago when Kurt Reuther was here. Elayne, Kevin Kille, Glenn Gillespie, Jamie Turner, and Dwayne Day all have SECRET clearance. Secretary Schiliro advised that we will keep this topic open for discussion.

**Ray Holcomb** asked Ken Greesom to explain Delaware as being designated an ARAP.

**Ken Greesom** briefed members on the Regional Resiliency Program advising that DHS works with national labs that work with Argon, etc.

- The 2012 report covered the I-95 corridor, the port, and the TMC system in Smyrna. Ken advised that DHS offered to come and brief Council members sometime in the near future.

These cost hundreds of thousands of dollars that DHS pays for because unfortunately there is no grant money attached. He stated that this year DHS wanted to look at the Delaware River's impact for Delaware, New Jersey, and Pennsylvania. Ken is still meeting with the labs and homeland security offices and the U. S. Coast Guard and stated that they do not have an exact plan formulated although they will review impacts on cyber security. Who uses the River e.g. the refinery? We will have meetings to work with the DIAC on critical infrastructure. The good thing about these reports is that they look at vulnerabilities which help states in applying for grant funding justifications.

**Jamie Turner** told members that Delaware reviewed the past 10 -12 years including the GAP Analysis. He advised that we have to be very careful politically with suspected deficiencies because if the FEDs say you SHALL use these funds for the suspected deficiencies there could be problems.

**John Sadowski** representing the DOE did not have an update.

**CSO Elayne Starkey** provided a DTI presentation on the recent Cyber Exercise held in October for members. She advised that DTI had a fairly-busy month running exercises for not only cyber security but also disaster recovery.

- The exercise simulated physical and cyber-attacks on Delaware's electrical grid simultaneously using details from a recent live attack that occurred in northern California. They had over a 100 participants including the National Guard. The participants themselves were presented with video and audio injects starting first as TV Newscasts before progressing to radio broadcasts. The exercise situation simulated a total loss of power mid-morning except for buildings like DEMA and DTI that had generators. Elayne played several of the video and audio file excerpts for members to hear and to show what exercise participants had to deal with. This type of situation could occur anytime. If you don't have a plan, then you plan to fail. DTI's exercise progressed to a partial and then a full state of emergency allowing DEMA and operational protocols to kick-in. She shared that there were lots of lessons learned. The After Action Report is being prepared now. Fourteen agencies participated with many of them exercising their COOP Plan for the first or second time. The State system faired fairly well as long as they were able to keep their fuel supplies although predications were that they were going to run out. For the next exercise DTI plans to either pick up where they left off this exercise or to accelerate the time line.
  - Ray stated that he had a lot of questions but would wait for the After Action Report.
- Elayne told everyone that the second exercise in November simulated a complete outage at their William Penn Data Center. The Annual COOP Disaster Recovery Exercise simulated an F-3 Tornado that started on the east side of Dover Downs cutting a path across Route 13 into the Silver Lake Business Center.

- Two teams deployed with the first team going to Philadelphia to the DTI Warm Site in downtown Philadelphia to recover Tier 1 and Tier 2 agencies within 48 hours (This was accomplished barely with only an hour to spare). Exercise testers in Delaware would log in to test their system with an expected outcome of it being no different than when they connected to William Penn.
- Exercise Team 2 converged on the Delaware State Fire School within 30 minutes to set up a small scale voice and data network transferring calls from DTI Service Desk to the State Fire School (This was barely accomplished taking a full 28 minutes). The exercise continued throughout the Day with DTI making plans as to who would work from home, who would be on site, and who would work on temporary office facilities.
- DTI had never tested this scenario before and it created some new conversations. More lessons learned. The After Action Report is still being drafted. It is great that it was not real.
- Elayne told members about a new Cyber Threat Working Group advising that it is very preliminary having had only one meeting. The group's goal is to establish some type of a statewide coordination on all things cyber. The larger Delaware picture is to include small businesses. She will provide more details at the next meeting. She is thinking of perhaps a subcommittee of this group. Ray thought that this is a great idea whose time has come because high technology cyber threats and barbaric edged weapons and guns killing people are the two biggest threats at this time.

**Jamie Turner** stated that it is good to be back. He provided a briefing stating that DEMA personnel participated in a 1/2 dozen exercises on Ebola including Public Health, Coast Guard, FEMA, and DSHS.

- DEMA personnel also participated in a two day exercise last week on recovery involving a hurricane striking the state of Delaware and doing a half a billion dollars in damage. The exercise went pretty well with a few issues to address. Tom Scardino, NJ OEM Rep retired was announced as the technical radiation officer for FEMA Region III.
- Jamie is keeping an eye on the chilly weather. Jamie stated that Jennifer's group is working on finishing the THIRA and State Preparedness Report.
- Jennifer Dittman announced that the FY11 and FY12 grants closed out on the 31st. FY13 is half under way with the other half tied up in sub grants. The FY13 grant expires on August 31 of 2015. Jennifer advised that sub grants are due to her office by the end of November. The FY14 funds were awarded in August. Jennifer still has to get it loaded into their sub grant system. She really wants to push FY13.
- Core Capabilities are related to the Grants. She advised that we have to tie everything we do to the Grants through the Core Capabilities. FEMA established these core capabilities

for Delaware to respond to any hazardous event. The core capabilities are evaluated as part of the State Preparedness Report, as well as being a grant requirement. Jennifer advised that DEMA has to identify capabilities and Gaps for the State of Delaware.

- Starting in January there will be quarterly meetings to review the THIRA and State Preparedness Report. It is important to understand the capabilities and how they apply to individual agencies and jobs. The State Preparedness Report started with the THIRA and identified 5 threats to Delaware: cyber security, active shooter, coastal storm, chemical release, and pandemics. The information gathered then fed into the State Preparedness Report as to how the core capabilities would address these threats. DEMA completed all core capabilities as to what each agency needs to respond to those capabilities equipment- and personnel-wise, etc. Out of 87 gaps, 37 were people. Jennifer stated that Delaware does have some gaps because we are a small state that is minimally funded; however, we cover the important items. Jennifer advised that DEMA completed all interviews and gathered all information for the State Preparedness Report and now has a really comprehensive set of information that they are compiling for submission on December 1. They will provide agencies general information as to their gaps, capabilities, etc. Jennifer has worked a lot with Ray and feels that his pyramid will help impact their preparation of the State Strategic Plan which Ray requested them to prepare this year. Jennifer advised that they created a plan as to how the Core Capabilities tie into Delaware's threat pyramid and levels.
- Jennifer advised that Ray developed his threat pyramid and levels in order to see what Delaware's threats are outside of the Grant process.

Jamie believes that everyone present was aware that there is going to be a leadership change in Congress. Based on his experience he expects Congress to mandate significant accountability for the expense of funds.

- Jennifer advised that at the October Working Group meeting she was tasked with preparing a letter stating that agencies and disciplines who do not participate in the THIRA and State Preparedness Report will no longer be eligible for Grant funding. This letter will task the discipline leads with participating and hold everyone accountable and will aid DEMA in justifying funding expenditures and need.

Jamie thanked Dallas for his service stating that it will be fun not talking to him at 3 am anymore.

**Dwayne Day** from DelDOT provided members an update on the Christiana Mall Transportation Plan stating that a year ago they met at DSP Troop 2 for a TTX because there was a need to have some type of transportation plan for the mall ingress and egress.

- The Committee met over the past 6 - 8 months and only came up with about 6 - 8 items for their after action report. He brought the report for members to review asking them to specifically review the back half of the report.
- Dwayne advised that he was asked to present this report at the King of Prussia Mall where the report received rave reviews. Our PA counterparts really liked what Delaware had and requested a copy in order to modify it for their use.
- Dwayne told members that this report is in the last draft stage and should be final in December. The next step is to review the Dover Mall and the Concord Mall.
- Dwayne also provided members an update on the HSAC UAV Committee. Dwayne provided members a handout mentioning that the UAV Committee has only had two meetings due to not having a quorum for one of the meetings. Because of this UAV Committee members voted as a committee to remove the Central Delaware Chamber of Commerce since they reached out to them via emails, only received 1 response and have not shown up at any of the meetings which prevented the Committee from meeting their quorum.
  - Dwayne advised that he is contacting every agency to ensure that they have a primary and an alternate representative to ensure quorums.
  - At the November meeting the committee spoke about submitting legislation and discussed three areas of concerns, protecting critical infrastructure, restricting access to critical infrastructure and protecting first responders. However, the committee put it on hold due to the FAA coming out with regulations.
  - DAG Morris advised that Kimberly and Ray worked with her to prepare something for the Governor's Policy Memo. At the UAV meetings they shared legislation that has passed or is proposed in regional surrounding states. They are hoping to put something in place that reflects what the states around us are doing and complies with what the FAA puts out for regulations.

Dwayne told members that yesterday there was a ruling advising that UAVs small and large do fall under the FAA jurisdiction. This will be a big impact when the small UAS come out. It makes that notice that all of these UAVs fall under FAA compliance.

- The committee's next meeting is on December 4. The key thing that the committee is waiting for is for the regulations to come out. Dwayne anticipates that at a minimum there will be training and education.
  - What type of training, what needs to be in that training, what kind of certification need to be put out?
  - Dwayne wants to put on a UAV Symposium in the February or March timeframe. The NTCT put out a presentation on UAVs clarifying where the state is and giving a

briefing on where we are so far. The Symposium would be treated as more of an educational venue.

- Dwayne told members that the AC Circular 90-357 states that you can fly within 3 miles of an airport; however, another report came out stating 5 miles which is a significant difference. A discussion ensued on recent incidents using these at public venues and their potential payloads.
- Ray advised that Secretary Kee sees only limited application in Delaware for UAVs although he does expect it to increase. Secretary Kee does not see any use for UAVs for the application of pesticides and chemicals in the near future.
- Dwayne told members that there are a lot of UAV conversations in the Midwest. There is also the other side of the issue: dealing with the commercial aspect and hobbyist use of UAVS.
  - The FAA has already allowed 6 of the major movie companies to fly UAVs. Dwayne stated that people are applying and receiving authorization to fly UAVs.
  - Colonel Wingate advised that UAV use is going to continue to increase and people will continue to find inventive ways to use them. He feels that the committee needs to plan for and develop a position paper on how to deal with these issues. He asked everyone to take the time to identify the people who need to sit on this UAV committee.
  - Ray stated that the HSAC is fortunate to have Dwayne who has spent so much time running down developments that have occurred and tracking legislation and regulations. Ray advised that he believes the DRBA will soon need UAVs and applauded DeIDOT stating that he received a call from his counterpart in PA raving about what DeIDOT has done with the TTX.

Captain Daniel Meadows briefed everyone on recent incidents in Missouri stating that they are tracking the issue with the MIAC. He hopes that Delaware will have a little bit of advanced notice prior to the decision coming.

- Captain Meadows briefed members on the DIACs Annual Fusion Center Assessment which recently came back notifying them that they received 100% in all categories.
- Colonel Wingate advised members that the DNG has also been tracking the Ferguson, MO incident.
- Captain Meadows thanked Colonel Wingate for the DNG partnership over the last few years.

8. With no further business Jamie Turner made a motion to adjourn, which was seconded by Lt. Colonel Monroe Hudson. The meeting adjourned at 11:11 am.

**Next Meeting: Wednesday, January 21, 2015**

9:00 am – 11:00 am

Location: Public Safety Building

Large 2<sup>nd</sup> Floor Conference Room

FINAL