



Port of
Tacoma

Port of Tacoma

2016 Regulatory Compliance Report

May 15, 2017



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Purpose

This report is designed to inform the Port of Tacoma Board of Commissioners of the Port's 2016 record of compliance with federal, state, and local laws, as well as Port policies intended to ensure compliance.

The Port of Tacoma is committed to complying with applicable laws and regulations that govern all aspects of our business, and acting in ways to protect and strengthen the Port's reputation for honesty and responsible stewardship. A voluntary annual compliance report is one method to demonstrate our commitment, recognize deficiencies, and continuously improve.

This is the seventh Compliance Report issued by Port managers and staff to the Commission. Each year, we build on our experiences from the previous year to increase our awareness of applicable laws and regulations and improve our systems for tracking and ensuring compliance.

The annual regulatory compliance report includes:

- A record of events of non-compliance during 2016, including improvement plans to correct deficiencies and prevent recurrences;
- The results of internal and third party audits and inspections of Port projects, systems and controls;
- A progress report on resolving non-compliance issues from 2015; and
- Compliance improvement plans for 2017.

Background

Port Overview – The Port of Tacoma is an independent municipal corporation operating under state law. The Port was created by Pierce County, Washington, citizens in 1918. It includes approximately 2,700 acres of uplands and aquatic area within Pierce County and the City of Tacoma, including 33 miles of shoreline abutting Commencement Bay and the Puyallup River.

The Port owns and maintains facilities related to maritime commerce, including facilities for containerized cargo, automobiles, and dry bulks such as grain, breakbulk cargo, heavy-lift cargo and project cargoes. It also leases real estate to several business sectors such as warehousing/distribution, manufacturing, and commercial/office that support and complement maritime commerce or water-dependent uses.

In August 2015, the Port partnered with the Port of Seattle to form The Northwest Seaport Alliance. The alliance now manages most of the two ports' container and breakbulk marine cargo facilities and business, providing a unified, regional portfolio of terminals to leverage strategic investments and meet changing customer needs.

The Port is governed by five commissioners who set policy and direction, and approve all major expenditures. The five commissioners, together with the five Port of Seattle commissioners, serve as the governing body for The Northwest Seaport Alliance. The Commission appoints the chief executive officer, who is responsible for leading the Port and overseeing a staff of approximately 203 employees. The

Commission also appoints the Port's treasurer, deputy treasurer, auditor, and deputy auditor.

Regulatory Environment – The Port is classified as a special purpose district, and operates under Title 53 of the Revised Code of Washington. In addition to this state law, the Port's administrative, operational and business functions adhere to nearly 200 laws administered by more than 70 federal, state and local governmental entities and two tribes. This includes laws that address environmental protection, facility planning and construction, personnel management, labor relations, procurement, contract management, financial management, real estate transactions, safety and security, public disclosure, records management, training, payment of taxes, providing wages and benefits, and more.

Appendix A includes a table that lists pertinent laws that apply to Port programs and activities.

In addition, the Port has adopted its own policies and procedures to help Port employees comply with applicable laws/ regulations and follow best practices in the following areas¹.

- Contracts and Purchasing
- Environmental
- Facilities Development
- Finance
- Human Resources
- Information Technology
- Operations
- Public Affairs
- Records Management
- Risk Management
- Safety
- Security

Port employees in all departments are responsible for adhering to these policies, as well as the laws, regulations, and ethical standards that apply to Port business and operations.

Reporting Methodology

The Port utilizes a system to report and track compliance issues as they occur, designate the department lead, and collect and retain relevant documents. The reported information is reviewed with the Management Team at regular intervals. After year-end, all directors sign a representation letter acknowledging the importance and their intention to comply with ethical and regulatory requirements. A copy of the 2016 letter is included in Appendix B.

2016 Compliance Results

Unless an exception is noted within this report, the Port has complied with the laws that govern our activities in 2016 to the best understanding of department directors. Exceptions in 2016 included: (1) Private easement holder MS-4 violation, (2) Alexander Avenue wetland restoration project was over-committed, (3) Failing proprietary stormwater filtration system, (4) Loss of photo/video records, (5) Self-insurance program tier 1 audit, and (6) Upper Clear Creek procurement error. The remaining results indicate several less formal compliance actions, as well as less serious issues stemming from regular audits and inspections.

Private easement holder MS-4 violation
A Port neighbor who holds an easement with

¹ These policies have undergone substantial revision and reformatting as a result of an initiative prompted by development of the 2010 Compliance Report. The Port now supports a standing Policy Committee whose charge is

to develop and update appropriate policies and keep them posted within a web-based administrative manual.

the Port discharged turbid stormwater on to Port property in violation of our MS-4 permit.

Improvement Plan: Port is terminating the easement and working with the city on a permanent fix.

Alexander Avenue wetland restoration project over-committed – Construction contract and project authorization were over-committed with charge orders related to negotiation with contractor concerning mortality rate of plants. Change Orders were not signed until after commission authorization.

Improvement Plan: Commitments are not tracked in one place. Contract and project information are in different systems. PM software implementation in progress to allow all information to be in the same system.

Failing proprietary stormwater filtration system – During installation of new media basket, we got high Total Suspended Solids results. A camera was put in the line and found a large break that is allowing seawater intrusion plus dirt. The Port has a plan and timeline to replace the pipe. Upon completion of pipe replacement, the vault will be finished and thus close out the level 3 correction action.

Improvement Plan: The filtration system has been redesigned and a new media has been put in the vault.

Loss of photo/video records – On September 26, 2016, the Port of Tacoma network was attacked by a TROJAN Ransomware virus via an automated email. The virus encrypted the files with a note for ransom to unlock the encryption.

The attack affected the network shares. The computer was removed from the network. After isolating the affected network locations, a restoration from the previous day's backup was done. When the backup was installed, the photo/video file types were blocked. The technician doing the restoration was unaware that the files were blocked and not restoring correctly.

When a user of the Environmental team noticed the photos missing 16 days later, the IT team discovered that the backup they had restored from had been overwritten since backups are overwritten every 14 days. There was no file to restore the photos from.

Improvement Plan: The IT staff will keep monthly and yearly backups. IT team added more detailed instructions for restoration from backup files. An additional step of full review of any restoration will be done by another department member.

Self-Insurance Program Tier 1 Audit – An audit of the Port's Self Insurance Program was conducted by the Department of Labor and Industries and issued its final report on December 13, 2016. A minimum 70% threshold score is considered 'passing'. The Port passed the audit with an effective score of 100% with all claims reviewed within the allowed 5% variance for wage calculation. The Department identified certain wage calculation methodology errors which did not affect the audit score. These methodology errors were reviewed for corrective action with the Port's Third Party Claims administrator, Eberle Vivian.

Upper Clear Creek procurement error –

Did not competitively bid an unforeseen component of work that fell outside the contract scope of the project.

External Audits

As a public entity responsible for stewardship of public funds, the Port is subject to regular, independent audits by the State Auditor's Office and other third party entities. Two independent audits were conducted on Port activities in 2016. (See Table 1, Page 5.)

Third-Party Inspections

Environmental

Several regulatory agencies visited Port sites or projects on compliance inspections.

(See Table 2, page 5.)

Maintenance

- The Department of Labor and Industries did a consultation visit and walk-thru of the Maintenance and Administration buildings to evaluate safety and hazard conditions. Inspector listed all hazards that were identified in a report. Maintenance staff fixed the hazards and met the deadline set by the inspector.
- The FDA conducted an inspection of the Port's potable water for the vessels. A few items were identified on each terminal. Maintenance made the correction and submitted proper documentation to the FDA.
- There was an error on the 3rd quarter stormwater report to the City of Tacoma. The report was corrected and re-submitted to the city.

Table 1 – Independent Audits

Date	Agency	Description	Results
03/21/2016	RSM US LLP	Annual financial audit completed by contracted, external auditors	No Findings/Unqualified Opinion
	State Auditor's Office	Annual Federal Single Audit (Grant Audit in accordance with completed OMG Circular A-133 and Financial Statement Audit)	Audit not required
07/05/2016	State Auditor's Office	Annual Compliance and Accountability Audit	No Findings

Table 2 – Environmental Inspections from Regulatory Agencies

Month	Agency	Description	Results
February	US EPA/City of Tacoma	EB-1B inspection	No issues
April	Ecy/City of Tacoma	Inspection of Place of Circling Waters Mitigation Site	Clarification of monitoring protocol
August	Ecy/City of Tacoma	Inspection of Place of Circling Waters Mitigation Site	Clarification of monitoring protocol
Oct	FDA	Inspection of all terminals potable water infrastructure	Minor issues: check valves installed improperly, missing keeper chains on caps, hoses stored outside
Oct	Wa DNR	Inspection of Maytown Surface Mine (Reclamation Permit #70-013010)	Deleterious material in import material must be removed. Topsoil piles require regrading.
Oct	Thurston County Health Department	Solid Waste Permit Compliance Inspection	Solid Waste Stockpiles must be removed NLT 12/31/17. File proof of financial assurance.
Nov	US EPA	Upper Clear Creek EPA mitigation area as built inspection	No issues
Nov	Dept of Ecology	Stormwater Permit Compliance Inspection of TPT Log yard	Routine – no further action required

Progress Report – Unresolved Compliance Issues

There are no unresolved compliance issues from 2015.

2017 Compliance Program

The Port will continue to implement those compliance programs put into place in preceding years, including developing and updating relevant Port policies, providing proper training for our employees, tracking and reporting on our compliance activities, and monitoring ongoing obligations.

In 2017, the Port of Tacoma will track all compliance activities associated with the homeport and the South Harbor activities now licensed to Northwest Seaport Alliance. Staff from the homeports of Tacoma and Seattle, in conjunction with the NWSA, will evaluate options to continue reporting compliance activities for the homeport of Tacoma and the NWSA.

Conclusion

The Port of Tacoma is committed to complying with applicable laws and regulations that govern all aspects of our business. We continue to implement programs to prevent incidents of non-compliance that are in our control and to support compliance with our tenants. We have a good record of compliance with applicable laws and regulations in 2016, and where we've fallen short we've taken steps to quickly resolve identified issues

Appendix A – Agencies and Laws**FEDERAL (Part 1 of 3)**

AGENCIES	LAWS
Federal Aviation Administration (FAA)	– Crane Lighting – AC 70/7460-K
Federal Communications Commission (FCC)	– Radios – 47 USC Section 309(h) – Radios – 47 USC Section 606
Federal Energy Regulatory Commission	– Liquid Natural Gas Oversight – 15 USC 717
Federal Surface Transportation Board	– Railroad NEPA 49 CFR 1105.1
Maritime Administration	– Passenger and Cargo Preferences 46 USC Chapter 553
National Labor Relations Board	– 29 CFR Chapter 1
National Oceanic and Atmospheric Administration (NOAA) <ul style="list-style-type: none"> • National Marine Fisheries Service (NMFS) • Pacific Fishery Management Council (PFMC) 	– Endangered Species Act (ESA) – Magnuson-Stevens Fishery Conservation and Management Act – Marine Mammal Protection Act (MMPA) – Coastal Zone Management Act (CZMA) – Natural Resource Damage Assessment (NRDA)
Office of Management and Budget (OMB)	– Circular A-133 – federal grant audit
US Army Corps of Engineers (ACOE)	– Water Resource Development Act (WRDA) – Clean Water Act, Section 402 – Clean Water Act, Section 404 – Rivers and Harbors Act, Section 10
US Department of Agriculture (USDA) <ul style="list-style-type: none"> • Forest Service (USFS) • Natural Resource Conservation Service (NRCS) • Animal and Plant Health Inspection Service (APHIS) 	– Animal Health Protection Act—7 USC Chapter 109 – Plant Protection Act—7 USC Chapter 104 – Migratory Bird Treaty Act—16 USC Chapter 7
US Department of Commerce <ul style="list-style-type: none"> • International Trade Administration • Import Administration 	– Foreign Trade Zone/Alternative Site Framework authorization
US Department of Defense (DOD)	– Federal Acquisition Regulations (FAR) (jointly issued by DOD, GSA, and NASA)
US Department of Energy (DOE)	– American Recovery and Reinvestment Act (ARRA)

FEDERAL (Part 2 of 3)

AGENCIES	LAWS
US Department of Homeland Security <ul style="list-style-type: none"> • US Customs and Border Protection (CBP) • US Department of Homeland Security – Transportation Security Administration (TSA) • United States Coast Guard (USCG) • Transportation Security Administration 	<ul style="list-style-type: none"> – Maritime Transportation Security Act – Maritime Security –CFR 33 Chapter 1, Subchapter H, Parts 101-105 – Buoy Compliance – Natural gas facilities 33 CFR§127 – Water Suitability agreements for LNG promoters – Port Security Act 46 USC 701 – Customs trade partnership against terrorism
US Department of the Interior <ul style="list-style-type: none"> • US Fish and Wildlife Service (USFWS) 	<ul style="list-style-type: none"> – Endangered Species Act (ESA)
US Department of Justice	<ul style="list-style-type: none"> – Americans with Disabilities Act (ADA)
US Environmental Protection Agency (EPA)	<ul style="list-style-type: none"> – Emergency Planning and Community Right-to-Know Act – Tier II Reporting (EPCRA) – Clean Water Act – Toxic Substances Control Act – Clean Air Act – Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and SARA – Resource Conservation and Recovery Act (RCRA) – Surface Mining Control and Reclamation Act
US Department of Labor (DOL) <ul style="list-style-type: none"> • Office of Federal Contract Compliance Programs (OFCCP) • Office of Disability Employment Policy • Employee Benefits Security Administration • State Unemployment Insurance Benefits • Veterans' Employment and Training • Occupational Safety and Health Administration (OSHA) 	<ul style="list-style-type: none"> – Affordable Care Act – Sensitive Security Information, 49 CFR 1520.5 – Consolidated Omnibus Budget Reconciliation Act (COBRA) – Fair Labor Standards Act (FLSA) – Equal Employment Opportunity (EEO) Act of 1972 – EEO Discrimination Laws, Health Insurance Portability and Accountability Act (HIPAA) – EEO-4 Report, EEO Record Keeping, 29 CFR Chapter 14 – Family and Medical Leave Act (FMLA) – Unemployment Benefits Wage and Hour Laws – Uniformed Services Employment and Reemployment Rights Act (USERRA) – Occupational Safety and Health Act, 29 CFR 1910.120 and 1910.126
US Department of Transportation (USDOT) <ul style="list-style-type: none"> • Federal Railroad Administration (FRA) 	<ul style="list-style-type: none"> – Federal Railroad Administration, 49 CFR Subtitle B, Chapter 2 – Safety review of LNG facilities 49 CFR 193 – Hazardous Materials Shipping 49 CFR 172

FEDERAL (Part 3 of 3)

AGENCIES	LAWS
US Department of the Treasury <ul style="list-style-type: none"> Internal Revenue Service (IRS) 	<ul style="list-style-type: none"> – IRS Tax laws – payroll taxes, mileage, education, moving – Interest on State and Local Bonds, Political Subdivision, IRS Section 103 – Tax-Exempt Private Activity Bonds, IRS publication 4078 – Tax-Exempt Governmental Bonds, IRS publication 4079 – Section 1031 Property Exchange Provisions
US Equal Employment Opportunity Commission (EEOC)	<ul style="list-style-type: none"> – Title VII of the Civil Rights Act – Equal Pay Act – Age Discrimination in Employment Act – Title I of the Americans with Disabilities Act
US General Services Administration (GSA) <ul style="list-style-type: none"> US General Services Administration – Acquisitions 	<ul style="list-style-type: none"> – Federal Acquisition Regulations (FAR) (jointly issued by DOD, GSA, and NASA)
US Securities and Exchange Commission (SEC)	<ul style="list-style-type: none"> – Rule 15c2-12 – Municipal Securities Disclosure
US Social Security Administration (SSA)	<ul style="list-style-type: none"> – Employees' Benefits, Social Security Administration, 20 CFR Chapter 3
Federal Maritime Commission	<ul style="list-style-type: none"> – Shipping Act of 1984 – Foreign Shipping Practices Act of 1988 – Section 19 of the Merchant Marine Act – 46 USC 401, ET SEQ
Other laws through multiple agencies	<ul style="list-style-type: none"> – National Environmental Policy Act (NEPA) – National Historic Preservation Act of 1966 – Section 106, Advisory Council on Historic Preservation

STATE (Part 1 of 5)

AGENCIES	LAWS
New Jersey Department of Labor and Workforce Development	<ul style="list-style-type: none"> – New Jersey payroll taxes (for out-of-state employee payroll)
Puget Sound Partnership	<ul style="list-style-type: none"> – Puget Sound Water Quality Protection, Chapter 90.71 RCW (Revised Code of Washington)
Washington State Department of Archaeology & Historic Preservation	<ul style="list-style-type: none"> – Archaeological Sites and Resources, Chapter 27.53 RCW
Washington Archives	<ul style="list-style-type: none"> – Archival of retained records Chapter 40.41 RCW

STATE (Part 2 of 5)

AGENCIES	LAWS
Washington State Office of the Attorney General	<ul style="list-style-type: none"> – Essential Records , Chapter 40.10 RCW – Preservation and Destruction of Public Records, Chapter 40.14 RCW – Penal Provisions for Intentional Destruction of Public Records , Chapter 40.16 RCW – Reproduced Records , Chapter 40.20 RCW – Open Public Meetings Act , Chapter 42.30 RCW – Public Records Act , Chapter 42.56 RCW
Washington State Department of Agriculture	<ul style="list-style-type: none"> – Washington Pesticide Control Act , Chapter 15.58 RCW – Weeds, Rodents, and Pests , Title 17 RCW – Warehousing and Deposits, Agricultural Commodities, Chapter 22.09 RCW
Washington State Department of Commerce	<ul style="list-style-type: none"> – Growth Management Act, Planning by Selected Counties/Cities, Chapter 36.70A RCW
Washington State Department of Ecology	<ul style="list-style-type: none"> – Clean Water Act Section 401 – Water Well Construction, Chapter 18.104 RCW – Solid Waste Disposal, Chapter 36.58 RCW – Powers and Duties—Water Resources, Chapter 43.21A.064 RCW – State Environmental Policy Act (SEPA), Chapter 43.21C RCW – Worker & Community Right-to-Know, Chapter 49.70 RCW – Waste Reduction, Recycling and Model Litter Control Act, Chapter 70.93 RCW – Washington Clean Air Act, Chapter 70.94 RCW – Solid Waste Management— Reduction and Recycling, Chapter 70.95 RCW – Hazardous Waste Fees, Chapter 70.95E RCW; Chapter 70.105A RCW – Mercury, Chapter 70.95M RCW – Hazardous waste management, Chapter 70.105 RCW – Lead-based Paint, Chapter 70.103 RCW – Model Toxics Control Act (MTCA), Chapter 70.105D RCW – Noise Control, Chapter 70.107 RCW – Motor Vehicle Emission Control, Chapter 70.120 RCW – Motor Vehicle Emission Standards, Chapter 70.120A RCW – Hazardous Materials Incidents, Chapter 70.136 RCW – Underground petroleum storage tanks, Chapter 70.148 RCW – Mercury-Containing Lights—Proper Disposal, Chapter 70.275 RCW – Floodplain Management, Chapter 86.16 RCW – Transport of Petroleum Products—Financial Responsibility, Chapter 88.40 RCW – Vessel Oil Spill Prevention and Response, Chapter 88.46 RCW

STATE (Part 3 of 5)

AGENCIES	LAWS
Washington State Department of Ecology (continued)	<ul style="list-style-type: none"> – Water Code, Chapter 90.03 RCW – Water Pollution Control, Chapter 90.48 RCW – Water Resources Act, Chapter 90.54 RCW – Oil and Hazardous Substance Spill Prevention and Response, Chapter 90.56 RCW – Shoreline Management Act, Chapter 90.58 RCW – Aquatic Resources Mitigation, Chapter 90.74 RCW (with WDFW) – Underground Storage Tanks, Chapter 90.76 RCW – Puget Sound Dredge Materials Management Program (DMMP) (with ACOE, EPA – Region 10, DNR), Chapter 79.105.500 RCW
Washington State Department of Employment Security	<ul style="list-style-type: none"> – Payroll
Washington Department of Fish and Wildlife (WDFW)	<ul style="list-style-type: none"> – Construction Projects in State Waters (Washington Hydraulic Code), Chapter 77.55 RCW
Washington State Department of Labor & Industries (L & I)	<ul style="list-style-type: none"> – Elevators, lifting devices and moving walks, Chapter 70.87 RCW – Safety and health standards and self-insurance requirements, WAC 296 – Prevailing wages on public works, Chapter 39.12 RCW – Washington State Family Leave Act , Chapter 49.78 RCW – Domestic Violence Leave for Victims and Family Members, RCW 49.76 – Military Leave, RCW 38.40.060 – Self-insurance programs, RCW 48.62 – Contractor General Bonds Chapter 18.27 RCW – Arsenic Standard, WAC 296-848
Washington State Department of Licensing	<ul style="list-style-type: none"> – Architects, Chapter 18.08 RCW – Engineers and Land Surveyors, Chapter 18.43 RCW – Landscape Architects, Chapter 18.96 RCW – Real Estate Sales/Brokers Licenses, Chapter 18.85 RCW
Washington Secretary of State	<ul style="list-style-type: none"> – Public Records WAC Title 434
Washington State Department of Natural Resources	<ul style="list-style-type: none"> – Public Lands Management, Chapter 79.01 RCW – Aquatic Lands, Harbor areas, Chapter 79.115 RCW – Aquatic Lands, Tidelands and Shorelines, Chapter 79.125 RCW – Puget Sound Dredge Materials Management Program (DMMP) (with ACOE, EPA – Region 10, Ecology), Chapter 79.105.500 RCW – Mining/Mineral extraction

STATE (Part 4 of 5)

AGENCIES	LAWS
Washington State Department of Revenue	<ul style="list-style-type: none"> – Business and Occupation tax , Chapter 82.04 RCW – Use Tax, Chapter 82.12 RCW – Local Retail Sales and Use Taxes, Chapter 82.14 – Personal Property Tax, Chapter 84.04 RCW – Leasehold Excise Tax, Chapter 82.29A RCW – General Administrative Provisions, Chapter 82.32 RCW – Taxpayer Rights and Responsibilities, Chapter 82.32A RCW – Excise Tax on Real Estate Sales, Chapter 82.45 RCW
Washington State Department of Retirement Systems	<ul style="list-style-type: none"> – Washington Public Employees’ Retirement System (PERS), Chapter 41.40 RCW – Department of Retirement Systems, Chapter 41.50 RCW
Washington State Department of Transportation	<ul style="list-style-type: none"> – Freight Mobility, Chapter 47.06A RCW
Washington State Treasurer <ul style="list-style-type: none"> • Washington State Public Deposit Protection Commission 	<ul style="list-style-type: none"> – Public Funds—Deposits and Investments—Public Depositories, Chapter 39.58 RCW
Washington State Auditor’s Office	<ul style="list-style-type: none"> – State Budgeting, Accounting, and Reporting System , Chapter 43.88 RCW – Public Contracts and Indebtedness - Title 39 RCW – Public Works, Chapter 39.04 RCW – Public Works – Registration, Licensing, of Contractors, Chapter 39.06 RCW – Contractor's Bond, Chapter 39.08 RCW – Alternative Public Works Contracting Procedures, Chapter 39.10 RCW – Emergency Public Works, Chapter 39.28 RCW – Contracts – Indebtedness Limitations – Competitive Bidding Violations, Chapter 39.30 RCW – Acquisition of Governmental Property , Chapter 39.32 RCW – Intergovernmental Disposition of Property, Chapter 39.33 RCW – Inter-local Cooperation Act, Chapter 39.34 RCW – Performance-based Contracts for Water Conservation, Solid Waste Reduction, and Energy Equipment, Chapter 39.35A RCW – Interest on Unpaid Public Contracts, Chapter 39.76 RCW – Contracts for Architectural and Engineering Services, Chapter 39.80 RCW – Personal Services Contracts Chapter 53.19 RCW
Human Rights Commission	<ul style="list-style-type: none"> – Discrimination—Human Rights Commission, Chapter 49.60 RCW
Public Disclosure Commission	<ul style="list-style-type: none"> – Campaign Disclosure and Contribution, Chapter 42.17A RCW
Public Employees Relations Commission (PERC)	<ul style="list-style-type: none"> – Public Employees’ Collective Bargaining, Chapter 41.56 RCW
Washington State Department of Enterprise Services	<ul style="list-style-type: none"> – Self-funded health plan requirements, 48.62 RCW

STATE (Part 5 of 5)

AGENCIES	LAWS
Other	<ul style="list-style-type: none"> – Washington State Constitution – Energy-related Building Standards, Chapter 19.27A RCW – Underground Utilities, Chapter 19.122 RCW – Public Contracts and Indebtedness – Title 39 RCW – Code of Ethics for Municipal Officers—Contract Interests, Chapter 42.23 RCW – Port Districts – Title 53 RCW – Mechanics’ and Materialmen’s Liens, Chapter 60.04 RCW – Uniform Commercial Code—General Provisions, Chapter 62A.1 RCW – Uniform Commercial Code —Sales , Chapter 62A.2 RCW – Uniform Commercial Code—Leases, Chapter 62A.2A RCW – Uniform Commercial Code—Negotiable Instruments, Chapter 62A.3 RCW – Property Rights—Damages from Governmental Action, Chapter 64.40 RCW

LOCAL (Part 1 of 2)

AGENCIES	LAWS
City of Fife	– Fife Municipal Code
City of Tacoma (CoT) <ul style="list-style-type: none"> • City of Tacoma – Fire Prevention Bureau (FPB) • City of Tacoma – Tacoma Police Department (TPD) • City of Tacoma – Tacoma Public Utilities (TPU) • City of Tacoma – Environmental Services • City of Tacoma 	<ul style="list-style-type: none"> – Tacoma Municipal Code – Trip Test Fire Systems (FPB) – Operational Permits—Marine Terminals & Hot Works (FPB) – Back Flow Inspections (TPU) – Electrical Permit (TPU) – Fire System Confidence Testing (CoT) – Industrial Waste Water Discharge Permit (CoT) – Pressure Vessels (CoT) – Tacoma Shoreline Master Program – City of Tacoma Critical Area Ordinance – Noise Restrictions/Ordinance – Zoning – Fire Hydrant Use Permit (TPU) – Land Use Permit (CoT) – NPDES permit compliance and review (CoT) – City of Tacoma Paid Leave Ordinance
Pierce County <ul style="list-style-type: none"> • Assessor’s Office • Auditor • County Council • County Sheriff 	<ul style="list-style-type: none"> – Pierce County Code – Elections – Financial Disclosure, Pierce County Code Chapter 3.12.040 – Lobbyist Registration, Pierce County Code Chapter 3.12.054

LOCAL (Part 2 of 2)

AGENCIES	LAWS
Pierce County (continued) <ul style="list-style-type: none"> • Planning and Development • Roads/Transportation • Pierce Transit 	<ul style="list-style-type: none"> – Lobbyist Reporting, Pierce County Code Chapter 3.12.056 – Pierce County Development Regulations – Critical Areas, Pierce County Code Title 18E – Zoning
Port of Tacoma – Policies – as required by SAO's compliance audit	– Various
Puget Sound Clean Air Agency (PSCAA)	<ul style="list-style-type: none"> – Section 2.07 Gasoline Dispensing Facilities – Northwest Ports Clean Air Strategy – Puget Sound Maritime Air Inventory
Tacoma-Pierce County Health Department	– Waste Disposal Authorization
Thurston County	<ul style="list-style-type: none"> – Critical Areas Ordinance, Ordinance No. 14773, Title 24 – Thurston County Code – Zoning
Port Metro Vancouver	– Northwest Ports Clean Air Strategy

OTHERS

AGENCIES	LAWS
Muckleshoot Indian Tribe	– Tribal Rules (generally water quality and cultural resources)
Puyallup Tribe of Indians	– Tribal Rules (generally water quality and cultural resources)
Environment Canada	– Northwest Ports Clean Air Strategy

LABOR AND RELATED ENTITIES

AGENCIES	LAWS
Pacific Maritime Association	– Pacific Coast Marine Safety Code (PCMSC)
WA State Industrial Health Administration/ Dept. of Health/ Dept. of Labor / OSHA	– WAC 296 and Federal Occupational Health & Safety (Part 29 CFR 1910)

Appendix B – Compliance Assurance Memo


Memo

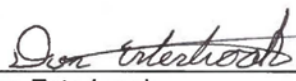



TO: Board of Port Commissioners
FROM: John Wolfe, Chief Executive Officer
DATE: May 15, 2017
RE: Compliance Assurance


As leaders of the Port of Tacoma, we are committed to complying with applicable laws and regulations that govern all aspects of Port business and acting in ways to protect and strengthen the Port's reputation for honesty and responsible stewardship. Compliance is a process of continuous improvement where we seek to do more of what we do well, and to improve in those areas of identified deficiencies.

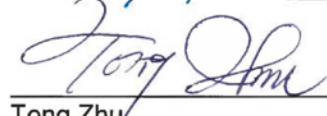
To the best of our knowledge, the Port remains in compliance with laws, regulations, and Port policies except as noted in the 2016 Regulatory Compliance Report.

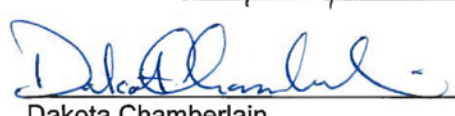

John Wolfe
Chief Executive Officer
Date: May 22, 2017

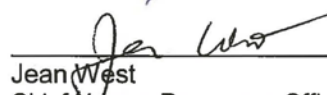

Don Esterbrook
Deputy CEO
Date: MAY 22, 2017

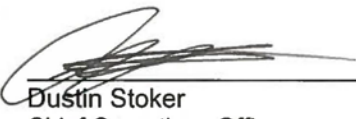

Kurt Beckett
Deputy CEO
Date: 5/22/17


Erin Galeno
Chief Financial & Administrative Officer
Date: 5/23/2017


Tong Zhu
Chief Commercial Officer
Date: May 22, 2017


Dakota Chamberlain
Chief Facilities Development Officer
Date: 5/22/2017

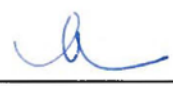





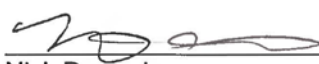

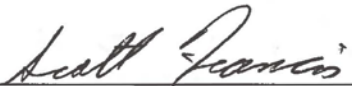

Jean West
Chief Human Resources Officer
Date: 5/22/2017


Dustin Stoker
Chief Operations Officer
Date: 5/25/2017

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Carolyn Lake
Legal CounselDate: 6/5/17
Louis Cooper
Sr. Director, Security & Labor RelationsDate: 5-25-17
Darren Arakaki
Director, Accounting & Port AuditorDate: 5/22/17
David Morrison
Director, Financial Planning & TreasuryDate: 5/22/17
Ricardo Charlton
Director, MaintenanceDate: 5/30/17
Mark Little
Director, Contracts & PurchasingDate: 5/22/17
Sean Eagan
Director, Governmental AffairsDate: 5/22/17
Debbie Givens
Director, Systems & Business ProcessesDate: 5/24/2017
Tara Mattina
Director, CommunicationsDate: 5/22/2017
Nick Demerice
Director, Public AffairsDate: 5/22/17
Lou Paulsen
Director, Strategic Operations Projects &
Risk ManagementDate: 5/22/17
Jason Jordan
Director, Environmental & Planning
ServicesDate: 5/23/17
Scott Francis
Director, Real EstateDate: 5/24/17