

HB 2373 - DIGEST

Requires the department to, when reviewing applications for hydraulic projects under RCW 77.55.021 specifically intended by the applicant to eliminate or reduce damages to upland properties caused by potential floods, give equal consideration to protecting fish life, public safety, and private property.

Authorizes any person who suffers damages to his or her property due to flooding of a riparian area to bring an action against the department of fish and wildlife as a state agency, along with a personal action against the director of the department of fish and wildlife, in a court of competent jurisdiction for exemplary damages of up to three times the actual damages sustained in the flooding event, plus reasonable fees for attorney expenses and expenses incurred in proving flood damages, if the department of fish and wildlife had, in the ten years preceding the flood event, denied or unreasonably conditioned a hydraulic project approval under chapter 77.55 RCW for a hydraulic project that would have prevented or lessened the flood damage.