



## ***Eagle Bend West Community Association, Inc.***

*In the greater Harbor Village community- a great place to live!*

**To: Members, Eagle Bend West Community Association, Inc.**

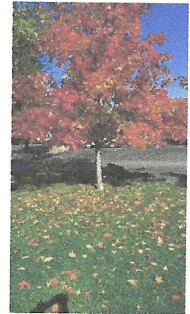
**Date: October 7, 2020**

**Subject: Memo to Members: Fall Update**

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### **Fall at Eagle Bend West is Beautiful!**

Even as the temperatures and lake level begin to drop, there has been plenty of sunshine and outdoor activity-encouraging weather. This has also allowed work to begin on next-phase community common area landscape improvements.



In addition, there is a lot happening on community budget planning, our CC&Rs update project, and more.

### **CC&Rs**

Voting continues on the four options presented at the Annual Meeting for updating our principal governing document, our 1997 Covenants, Conditions, Easements and Restrictions (CC&Rs). We thank the many who have already voted, and remind those who have not that it would be helpful to have all ballots received by October 15.

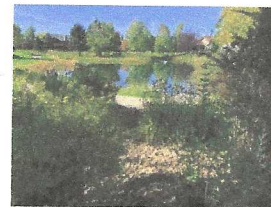
We have had several informal questions about whether ballots may be amended or changed once voted, and the answer is yes. Our goal has been to accurately obtain the sense of the community on how best to modernize our CC&Rs, so if upon further consideration owners would like to amend or re-do their ballots, they may contact Property Manager David Roberts to request a new ballot for correct signature(s) and return to him. Please note on the ballot that it is a replacement, and that it has the new completion date on it. Votes will be counted after October 15 upon receipt of ballot responses from all owners.

### **Landscaping**



Owners and visitors are noticing our upgraded common area landscaping south of Canal Street along the Montana Athletic Club tennis court fence and on the north side at the pump station area adjacent to the pond. This project was contemplated but deferred for budget planning reasons when the initial landscape improvements were made at the Canal Street/Holt Drive entrance and along the north side of the street.

Designed to bring a harmonized look from the community entrance further down both sides of Canal Street, the project has included: topsoil build-up and sodding over mature tree roots that had become exposed on the ground surface as they grew for twenty-plus-years, making them susceptible to damage by lawn mowing; removing old dead and dying bushes and volunteer plants; removing and replacing degraded weed matting; checking and making necessary changes to irrigation lines; replacing rusted-out and damaged bed borders; planting new low maintenance perennials and grasses, sodding some areas; and, installing new low-maintenance cracked shale mulch.



While the plantings are new and naturally smaller than those on the other side of Canal Street, by next year all should begin to look more uniform.



The overgrown area around the mailboxes and lift station at the corner of Canal Street and Harbor Drive has been pruned and thinned out. This has started to address the concerns expressed during our summer neighborhood walk-about. The Landscape Committee and Board will be considering how best to improve the appearance of that corner.

### **Financial Processes Report, and Budget Schedule**

EBWCA received a clean audit finding recently from a CC&Rs-required periodic accounting review. The audit by an outside examiner looked at processes, accounts, payments and filings managed and performed by Western Mountains Property Management for EBWCA. The Board is very pleased that no deficiencies were found and believes that such reviews are important in maintaining financial integrity.

Owners will receive a proposed EBWCA budget for the calendar and fiscal year 2021, upon which next year's dues will be based, by November 1. Questions and comments will be welcomed to help the Board set the 2021 dues level. That dues level will be communicated by December 1.

### **Property Sales and Construction**

Real estate sales continue to be very strong in our area, and we're delighted to be seeing both inquiries and activity here in Eagle Bend West. We've also seen significant construction and construction planning, the latter of course involving our Design Review Committee that exists to ensure that our community character and quality are maintained.

We remind owners that any external appearance changes to lots or a home, in addition to new construction, require Committee review and approval. The Committee is always glad to work with owners toward successful projects. Its members can also answer questions about such things as bonding and construction time limits. The Design Review Guidelines themselves are posted on the [www.eaglebendwestmt.us](http://www.eaglebendwestmt.us) website.

## Wetlands

Nearly fifty neighbors and others interested in wetlands in and around Eagle Bend West (EBW) learned a lot about these riparian resources, their benefits and protections, at an August 26 meeting conducted by the Flathead Conservation District (FCD).

The Stakeholder Meeting at the Harbor Village Pavilion was requested by District supervisors and staff to share good wetlands management practices, and to explain the protections and regulatory requirements associated with them.

Wetlands adjacent to EBWCA property include some special protections, having been specifically considered as partial mitigation for the land-filling and excavating that would be allowed when the original development, and later the adjoining yacht harbor, were approved by county, state and federal agencies. For example, properties along the neighborhood canal were to have special conservation setbacks that are observed today by allowing grasses to grow without fertilizing or mowing in order to filter residential lawn runoff. In addition, the wetlands between Eagle Bend West residential lots and the Flathead River, owned by the Montana's Outdoor Legacy Foundation, were to be maintained in a "natural state".

At the August 26 meeting, led by FCD Resource Conservationist Hailey Graf, attendees heard about benefits of healthy wetlands in providing community beauty, wildlife habitat, flood protection, and water quality. Healthy wetlands provide habitat for a range of species including minnows, amphibians and reptiles, ducks and herons, and mammals such as fox, deer, and bats that feed on mosquitos. Hailey also explained that a thriving wetland, characterized by its deep-rooted vegetation, will act like a sponge - soaking up excess water during floods and slowly releasing it back into the stream during droughts. Polluted runoff from our driveways, sidewalks, and roads is also captured and filtered by the healthy wetlands, preventing oil, gas, heavy metals, and trash from entering our local waterways.

The Montana Natural Streambed and Land Preservation Act, known as the 310 Law, is administered locally by the Flathead Conservation District. This law, enacted in 1975, requires a 310 permit for any work done near a perennial-flowing stream that has the potential to impact that stream or streambank. During the meeting Hailey explained the permit application process, emphasizing that it can take 60 days to get a permit but that permits are free and guidance is available through the FCD office. Example projects that require 310 permits include docks, walkways along the river, vegetation removal, culverts, or bank stabilization projects.

In addition, attendees heard about U.S. Army Corps of Engineers requirements related to wetlands. In general, any impacts to wetlands may require a permit along with a wetland delineation to identify wetland boundaries. A common permit process administered by the Corps involves the Clean Water Act "404 Permit". Although enforcement jurisdiction over such activities is shared with the U.S. Environmental Protection Agency, the Corps advises homeowners to check with them before doing any project that would potentially affect wetlands.

Flood Hazard Areas, some of which exist in Eagle Bend West wetlands areas, also require certain permits. These and special EBW-specific 20-foot zoning setback rules that may apply along

property boundaries that may be covered by water are enforced by the Flathead County Planning Department on the basis of complaints and inspections.

Erosion control on the outer, or western, boundary of the Montana's Outdoor Legacy Foundation's wetlands property was discussed at the stakeholder meeting. MOLF Executive Director Mitch King explained the importance of not removing vegetation - live or dead - from the wetlands without Foundation approval. He pointed out that such removal can lead to increased erosion and can undermine the integrity of the buffer the Foundation's wetlands provide against Flathead River erosion of adjoining private lots. He also reminded attendees that motorized access to the wetlands is prohibited in order to prevent channeling or scouring away of vegetation, and resulting habitat degradation.

Apparent mosquito increases in some areas near parts of the Flathead River wetlands were mentioned by several residents. It was pointed out that the Flathead County Mosquito Control Department had been requested to study the mosquito situation over the summer.

The Department's tests are reported to have found no unusual mosquito levels at either north or south ends of the wetlands. Flathead County Mosquito Control personnel plan to do more testing next year and point out that keeping the wetlands healthy can provide good natural mosquito control if mosquito and larvae predators have places to live and hide.

For more information, including fact sheets and contact information from agencies participating in the Stakeholder meeting, please go to the [www.eaglebendwestmt.us](http://www.eaglebendwestmt.us) website *Meeting Documents* page.

Thanks!

Thank you for your engagement, comments, and support of our wonderful community. Always know that we invite and appreciate your comments, questions and suggestions as we seek to ensure that ours is the premier community on Flathead Lake.



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