

Property owner getting grief for cutting access to bike path

By Kathryn Reed

A private property sign where one has not existed for at least a decade is causing some unrest on West Way in South Lake Tahoe.

In October, when Paul Lara bought the house that backs to the Pope Meadow he knew a trail skirted the far edge of his property. What he didn't know is how well used it is. With biking season having arrived, he has found out the hard way.

"When I bought the property I could see there was a spot where people could come through. My intention was never to keep it open. My intention was to close it off," Lara said.



The Laras' house is on the far side of the trail they blocked off.

Photo/Kathryn Reed

But he doesn't want to build a fence. One of the appealing

things about the parcel is the openness of it.

To stop people from riding on his land Lara has erected a barrier with wood and posted a "Private Property, No Trespassing" sign. But not everyone is thrilled with not being allowed to pedal or walk through the meadow that leads to Pope Beach and onto Camp Richardson. Nor has it stopped everyone.

Lara called South Lake Tahoe police officers to his residence three times last week because of threats from disgruntled trail users.

"It's amazing the anger coming out of a lot of people. I haven't accosted anyone. I have been calm. I'm trying to be understanding," Lara said.

Lara said one irate user threateningly drove a vehicle toward him.

"Technically if people are on his property (even if it's unfenced), it could be considered trespassing. The fact that it is a well used trail is another issue," police Lt. David Stevenson said. "If he leaves town and there is no fence, I would think people would use the trail again."

Lara and his wife are part-time residents. Their jobs as a firefighter and nurse are in the Central Valley. The 51-year-old has been coming here since he was a kid and intends to live in South Lake full time one day.

"I'm up here a lot. I would like to have some privacy," Lara said. "My main windows point that way."

A significant number of trail users, including this reporter, come from the Tahoe Keys and Tahoe Island area. It provides a scenic, less crowded route to places off Emerald Bay Road. It also means not dealing with the hordes of people on the paved Pope-Baldwin trail.

Lara said farther up West Way, closer to Highway 89, is a

California Tahoe Conservancy lot people have begun to use to reach the meadow.

The distinct trail on his property is closer to his neighbor's house than his, but his neighbor has a fence. The Laras own a double lot, with the bike path on the far side of the undeveloped lot. They have chairs sitting in the lush grass. They would rather be watching the aspens quake than cyclists fly by.

He also worries about liability issues if someone were to injure themselves on his land. Plus, next to the dirt trail is a shallow gully that still has water in it.

Even if people get used to not using this trail starting from West Way, it doesn't mean they won't end up on it coming from the other direction. That's because the meadow and the property leading to it is U.S. Forest Service land.

Garrett Villanueva, assistant forest engineer, will be taking a look at the problem soon.

"We don't endorse any trail that goes across private property without the owner's permission," Villanueva said. "But we do sympathize with the users and landowner."

This particular trail through the meadow is unauthorized. Villanueva said closing it and restoring the area could compound the problem.

A potential concern for the Forest Service is if people are leaving the trails near Pope Beach, head across the meadow and then are stuck if Lara and others create a dead-end by preventing people from accessing West Way to get to their final destination.

"As the situation evolves, we will look at the actions we need to take," Villanueva said.

He is extremely familiar with land use issues like this.

Villanueva dealt with the Dundee Circle issue from a few years ago when a new homeowner cut off access to a highly popular mountain bike trail in the Tahoe Mountain area. A Forest Service gate went up, but the owner also eventually sold her place.

Neighbors at the time brought up the issue of prescriptive easements. These easements on private property are acquired by continued use without permission of the owner. Each state has different rules for how these easements are handled.

Whether that issue would gain traction on West Way remains to be seen.

One thing Villanueva said is with his agency looking at all the bike trails in that area, many changes are likely to be forth coming in the near future for cyclists and pedestrians.