

CCFA Editorial

February 20, 2004

Forestland Owners Can Breathe a Sigh of Relief But They Should Sleep With One Eye Open

By **FABIAN ALVARADO**

"The evils of tyranny are rarely seen but by him who resists it."

- John Hay, 1872

On February 17, 2004 the Sixth District Court of Appeals decided in favor of CCFA and Big Creek Lumber Co. We, the plaintiffs, are gratified that the appellate court reviewed the case and legal background in such detail and ruled in a manner favorable to us.

While the ruling is certainly cause for celebration, let us not overlook the true significance of this case. The fact remains and we should not forget this: **We believe the Santa Cruz County Board of Supervisors is guilty of having knowingly acted illegally since November 1999.** In an early public hearing on their proposed regulations, the Supervisors were told by their own County Counsel that their ordinances were, at least in part, illegal. Nevertheless, they chose to proceed knowing that property owners are reluctant to undertake unpleasant, costly legal conflict. The implications are staggering. Any government that behaves in disregard of the law is a menace to everyone that cares about the principles of liberty that our country is based on.

Over the last seven years the County spent more money fighting this case than did the plaintiffs. According to a former county supervisor, the County has spent millions of (your tax) dollars pursuing this legal battle. If the case goes to the California Supreme Court, the costs to the litigants will only increase. Although Big Creek Lumber Co. and CCFA may eventually recover some of their legal costs, there is no accountability for the irreparable damage that has been done to Big Creek Lumber Co., many forestland owners and Santa Cruz County taxpayers. Yet, despite the illegality of their actions, you will not see the Board of Supervisors going out of business or any of the Supervisors going to jail. In fact, there is nothing preventing the County from devising another illegal assault on your private property rights. Whether it is timber, water, or the air you breathe, unchecked governments can and will continue their attempts to restrict your rights and regulate your freedom. And while you try to get on with your life by compromising your rights and property or fighting in court (if you can afford it) the damage will be done. Still not convinced? Check the links below for more on the

recent ruling and to see where some of the next violations to your inalienable rights will be coming from. Don't wait until you are forced to be involved.

"They came for the Communists, and I didn't speak out because I wasn't a Communist.

Then they came for the Jews, and I didn't speak out because I wasn't a Jew.

Then they came for the Trade Unionists, and I didn't speak out because I wasn't a Trade Unionist.

Then they came for the Catholics, and I didn't speak out because I wasn't a Catholic.

Then they came for me, and there was no one left to speak out for me."

- Martin Niemoller, 1945

Fabian Alvarado is a researcher with Big Creek Lumber Co.

Editor's Note: In the years since this was first posted, the links mentioned above have become obsolete, but a current look at the history of the California Air Resources Board, the various Regional Water Quality Control Boards, the Department Fish and Wildlife and the National Marine Fisheries Coho Restoration Strategy among others will provide sufficient evidence overreaching government meddling in our personal affairs.