

# When is Too Little Enough?

## A Successful Eleventh-Hour Rescue of Vancouver Island's Northernmost Garry Oak Habitat

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### SUMMARY

Only 1% of British Columbia's original Garry oak habitat now remains, and many of those trees are considered "the living dead"—they have no offspring under them, just lawns and tulips or big, fat cows.

The subspecies of the large marble butterfly, *Euchloe ausonides*, is now extinct. It enjoyed Garry oak habitat during its presence on Earth. It's toast. Nine subspecies localized to this habitat are now considered extinct, endangered, vulnerable, or just plain "up the creek." Why? Well, with only 1% of the original oaks remaining (if you don't count all the pet ones, like those in Victoria that majestically grace a lawn, or the perfect mushroom-shaped beauties that dot the cow fields like sentries), the wild stock can be measured in a fraction of a percent.

Here is a little vignette that speaks volumes for the Garry oaks of bygone days. In Courtenay, in 1997, as the new Regional Director for Cortes Island, I stumbled into a plan to build an ice arena and put its parking lot on the northernmost wild copse of Garry oaks in British Columbia. It had been condoned in a 1996 public referendum. The bulldozers were being unloaded and the architects were in a Titanic frenzy to complete the detailed drawings at about the time I entered the picture, on a routine tour of public facilities. My jaw dropped when I was shown the nearly 1-hectare Garry oak forest, consisting of about 60 mature trees and hundreds of seedlings, seemingly destined to be levelled to make way for progress! in the name of a parking lot! Oh, Joni Mitchell, you know how I feel: "They paved paradise to put up a parking lot."

How do we explain this oversight? The regional district did not do an environmental assessment of the site—it was not required! The natural history societies thought the ice arena was going somewhere else and the public was blissfully ignorant that the trees were doomed. The Ministry of Environment Data Conservation Centre had no record of the grove because their aerial pictures only show copses of more than 1 hectare. ...It had fallen between the cracks, too little to be enough!

Convincing the 19-member Comox-Strathcona Regional

District Board to put the parking lot somewhere else was a long, arduous process, but I was determined to drive home the importance of this grove. I tossed in a bit of public insurrection, with naturalists Allan and Betty Brooks leading packs of tree-huggers, and the associated media feeding frenzy—all storming the board room looking for sanity. Meanwhile, I pictured myself chained to the uppermost limbs of the 400-year-old, great-great-great-grandparent oak, thus throwing politics back into the annals of our arboreal past (where it flourishes today) and where it surely belongs anyway.

I hadn't just tipped over the apple cart—I'd taken all the wheels off. To hear me speak you'd think that I was a closet botanist with chlorophyll for blood and a family that led back to ancient oaks, not to *Australopithecus* at all!

In the meantime, Dr. Adolf Ceska, ecologist with the Conservation Data Centre, prepared an appraisal in support of the grove. He underscored the grove's rarity: "the species composition of this stand is so unique that it is difficult to compare it with any other stand in British Columbia." Well, you know how fussy botanists can be. Toss in a bit of snow-berry and cascara and a big dose of wild ginger and a white fawn lily here and there, and they make it sound like we're witness to genesis in action! Thus, when it appeared the board was unwilling to follow his recommendations, Adolf surmised that: "the board seemed determined to destroy this extremely unique stand of Garry Oak."

The board was dumbfounded; they would be guilty of destroying a one-of-a-kind jewel in Courtenay's crown. So the architects were put to work to reconfigure, redesign, and reposition the arena and the parking lot. But, alas, only the parking lot was relocated—the ice arena "had to stay," thereby sacrificing half the habitat and 8 200-year-old trees.

It is extremely lamentable that the "critical size," which was already in question, was now a depressing half-hectare. But more than 50 trees (200 years old) and a few oldies survived this blunder. The best part is that the oaks produced acorns in 1998, which have sprouted and will join the hundreds of saplings in this microhabitat.

For me, the warmest reassurance comes of knowing that the grove should outlive the arena; if we can get it out of the

current lease contract and into a covenant that will protect it in perpetuity.

The obvious way of dealing with this dilemma is to protect the trees outright, through legislation. I discovered that under the Municipal Act a municipality may protect a tree species for its rarity or beauty, but a regional district may not. Why is this? A regional district has a modicum of general protection for trees built into Bill 26 and Official Community Plan and Covenants. However, I suggest to all that the future for a particular species, be it bird or orchid or tree, needs to be protected by a “stand-alone” provincial Endangered Species Act.

The majority of British Columbians know that the dogwood tree is protected, and not because of the penalties associated with its destruction—a paltry \$25.00! The awareness alone that the dogwood is special encourages governments and public to treasure the tree and plan developments and habitat protection accordingly.

In September 1998, I brought a motion (B69) forward to the Union of British Columbia Municipalities Convention floor, which recommended that the Garry oak have the same

status and practice of being protected as the dogwood. B69 was endorsed as a recommendation to the provincial government. Sadly, to date, they have chosen to ignore it.

Since the federal Endangered Species Act is nonexistent, it is as good for life on Mars as it is here. And the British Columbia effort is pathetic—Red list, Blue list, let’s call it listless! Moving the deck chairs around on the Titanic just isn’t good enough.

A senior Ministry of Environment official informs me that the place Garry oaks belong is in regulations, not legislation. This is a dangerous, bizarre concept. It means survival of a species is in the same category as the length of a septic field or the number of toilets a bar requires.

Shall we leave all our species—oaks, arthropods, tiger salamanders—to chance? Chance got us all here, but is chance going to get us out?

What about the less than 1% of Garry oaks that are left? Is there little enough left that the Garry oak needs protection now?!!

When is too little—ENOUGH!