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Last year, I went on the road to visit some tree care companies, as I do every year. I always enjoy the chance to be with members of the TCIA family in their own backyards. It’s family time. I get to see where you “live.” I get a visual of where you spend most of your days and with whom you spend them. I get to watch people who have great joy in what they do share their daily experiences with me, and oftentimes, I get to see some pretty unique properties. Every time, I learn something.

When I got home to my own family, my husband welcomed me back; very glad to have me home. Then, he took me into the living room and asked me to sit down. That was my clue – something with our family wasn’t quite right. In fact, my favorite cousin had dropped dead of a heart attack. A young man. An active man. A man who had worked for years as an elevator engineer. Someone who was well aware of safety issues at work. Someone who lit up a room with laughter and could strum a banjo like you’ve never heard.

My family protected me. They knew I was going to be on the road driving a lot of miles, and they didn’t want another family tragedy. So they waited until I got home to share the news; safely home. The funeral was held without me, and I struggled to grasp the death of a young, beloved cousin and friend.

It’s one of the things that scares me most about working with people I have grown to care deeply about in this industry. As we gather each year, I cannot tell you how much I look forward to seeing all of the friends I have made in the tree care industry family. Many of us carry on conversations that stretch over years now about how family members are doing: marriages; children and grandchildren; health; and yes, business too. There is a bond that exists between the people in this industry, and you have kindly adopted me into your family over, soon to be, six years. With all families, you rejoice together in the good times, and you cling together in the bad.

We are still losing 70-plus people a year. I struggle with the burden of this responsibility to our family – to create a place where people can come to work at any tree care company in our extended family – and know that they’re going to come home that same night. I worry about each one of our sons and daughters when they go out to do storm work for what has stretched into months this season. I wonder what it will take for us to know that they’re part of our family too (just a little lost at the moment), and we need to invite them home.

There are some things you can’t do anything about as a family member; moments when you watch helplessly as someone you care about fades away; or makes a bad judgment call that leads to tragedy. In our case, a great majority of the mistakes that happen in our family are preventable. It’s those mistakes that occur for lack of training, investment in professional development, production over safety, or a false sense of youth and immortality that don’t need to happen. It’s when our pride in the quality of the work we believe we do gets in the way of inviting the black sheep back into the family, so that they too can learn best business and safe work practices. In fact, they’re part of our family too (just a little lost at the moment), and we need to invite them home.

You see, tree care people really ARE different. Yes, arborists are professionals in a very unique industry. It’s the people behind the arborist that make you different. You are passionate. You are risk-takers. You are the keepers of traditional values in our country. You are family people. You are good folk. When people ask me what arborists are like, I always tell them that they’re the kind of people my parents would want me to hang out with.

I care deeply about you and this family. I want to know that each year when we celebrate our family reunion that you’re all going to be there to join in the laughter, the partying, and the tale telling – some of them pretty tall tales! It’s the camaraderie and the spirit of the arborist that makes us a family.

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<th>Description</th>
<th>Large (inch)</th>
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<th>Lightweight (inch)</th>
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The hellish flames seem to swallow up the forest, racing across the tops of the trees and incinerating everything in their wake. While most of us are shocked and awestruck when we see televised images of such devastating wildfires, Rob Castellano, owner of Horizon Tree Service, Inc. in Potomac, Mont., looks at these wildfires and thinks of “what might have been.”

An arborist and forester whose company specializes in clearing brush and vegetation to reduce potential fuel load, Castellano describes his company’s services as preventative. “Our work can change fire behavior by breaking up fuel continuity,” he explains. “We come in with lots of equipment and have people climbing up in trees – when everything is going right, it’s real smooth.”

Castellano emphasizes that his role is to change the behavior of fires, not to actually fight fires. In fact, during wildfires arborists and foresters may not even be allowed near the scene, he says. “Wildfires are rated by different levels,” he explains. “When a fire reaches a high level, all work near the woods is shut down, even work at homes. Sparks from a chain saw could ignite a fire when conditions are at a high fire danger point. I remember when a catalytic converter from a parked truck set the grass on fire and started a 20,000-acre fire.”

By far the biggest aspect of Horizon’s services – approximately 90 percent – is “fuel reduction,” manipulating vegetation to alter fire behavior. Castellano feels that this and other aspects of wildfire fuel reduction are ideally suited for tree care companies, whether they deal primarily in residential arborist work or in forestry. The field is relatively new and Castellano insists that the work is so important, he would welcome some competition. “This is a tremendous area for growth,” he says. “The focus is the preventative end of fire control, trying to alter the behavior of the fire – changing a potentially catastrophic fire to something more manageable.”

Standards for this type of work are being developed gradually and may vary from state to state. The first objective is to create a defensible space zone around the residence, Castellano says. “This may involve selective thinning of trees 30 to 100 feet away from the home. We prune trees up 10 to 12 feet, and make sure the right species have been planted. In problem wildfire
areas, if the driveway is overgrown or if the home doesn’t have a driveway big enough for the fire truck to turn around, the fire department won’t risk lives to try to save the home.”

Castellano notes that in most fire-prone states, government assistance in the form of a National Fire Plan is available at state and county levels. With this program, subdivisions can sometimes get grants to help pay for wildfire fuel reduction work. In Montana, timber mills and the logging industry help pay for wildfire fuel reduction projects indirectly. “The products resulting from our tree work can be sold to the timber industry to help cover the costs of wildfire fuel reduction jobs,” Castellano explains. “We sell sawlogs, wood chips and pulpwood to the timber industry.”

Wildfire fuel reduction work is not like commercial logging, Castellano stresses. “The biggest difference is that commercial logging typically focuses strictly on trees that have a value,” he explains. “While that is part of it, we also prune up branches, clear underbrush, remove small Christmas-tree size trees that act as ladder fuel – services that offer no commercial value. You wouldn’t pay a logger to do that kind of work. Also, those who do wildland/urban interface fuel-reduction work, where residential developments meet the forest, are forced to deal with extremely difficult obstacles such as well caps, power lines, satellite dishes, paved roads, etc. – which almost never occur on a logging project.”

The work his company performs has specific goals in mind, Castellano explains. “Starting with a defensible space, our work involves selective cutting, favoring trees that are the nicest looking,” he says. “We thin out and remove weed trees and focus on trees that are more resistant to fire, spacing trees to break up fuel continuity. It’s all about stewardship and restoration ecology. Any of the tree care companies that do this kind of work have restoration ecology in mind.”

In an ideal situation, Castellano would be called in before the home is even built.
“We can come in and clear lots, help plan the driveway and plantings on the property, and then come in later to do maintenance as the trees grow. It’s much more cost effective when we can help from the start,” he says. “Say someone has 10 acres and they are concerned about fire, so they call in our company. We would assess the property, space out the trees, remove any trees that are dead, diseased or dying, and prune the remaining trees up to about 12 feet above the ground. This work could leave us with $6,000 worth of saleable forest materials, so we offset that amount to make it more affordable to the customer. Sometimes the work may result in a straight trade – our work in trade for timber products, which we can turn around and sell. Project costs can range from $300 to $3,000 per acre, depending on client demands.”
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Fires are a naturally occurring phenomenon, usually following a cyclical pattern but also influenced by weather conditions. Early in the 20th century, the U.S. government began to establish wildfire prevention policies that turned out to be self-defeating. The policy of “maximum fire suppression” mandated that all wildfires be extinguished, even the “cooler” low-intensity fires that burned away the underbrush. This policy, combined with years of logging the largest, most fire-resistant trees and leaving behind debris and underbrush, combined to build a fuel load while creating hot, wildfire management mistakes.

By Becke Davis

(Continued on page 18)

Castellano has confidence that the services his and other tree care companies provide can make an important contribution to fire control. “I’ve seen with my own eyes how these techniques work,” he says. “In the places where we had cleared debris and thinned the trees, the area still burned but the trees survived. Without the excess fuel load it turned into a cooler, more manageable understory fire. In Montana, fire used to come through the ponderosa pine ecosystem every seven years or so, until we started suppressing these fires year after year. One hundred years on, what used to burn as a cooler fire now has a hundred years of fuel load. When it burns it’s too much, it’s overwhelming, but when houses come into it you can’t just let it burn.”

The effect of Horizon’s work is related to the scope of each project, Castellano stresses. “If we treat a 2-acre property and no one else around does it, our work is not going to make much difference,” he admits. “But if we do 60 acres, or if we get more homeowners or arborists involved, we will see more of a difference. Reducing fuels improves the forest health, protects homes and creates work for arborists – it benefits everyone.”

One major advantage to fire suppression work is that it doesn’t require a tree care company to purchase a whole new range of tools and other equipment. “We use pretty much the same equipment for fire suppression as we use for standard tree care,” says Castellano. “These include Prentice loaders out of Prentice, Wisc. (a division of
And from ImpleMax Equipment Co. Inc., based in Bozeman, Mont., we use the RG84 rake grapple, the 4836 pro grapple and the 6042H commercial grapple – the first prototype ever made for a tractor. We use the same chippers that we use for residential work, skid steers with grapples, and so on,” says Castellano. “The main issue is really high liability and workers’ comp, but the work is essential. Wildfire suppression costs are staggering – federal fire suppression costs were $1.6 billion in 2000 – but surveys have shown that every dollar spent on wildfire fuel reduction work will decrease suppression costs by $5 to $7. Investing in prevention can make a huge difference.”

Fire suppression doesn’t just save houses, Castellano observes, it can also save old growth trees that would be lost in an extreme wildfire event. “There are so many benefits to fire suppression work,” he says. “It’s a good thing all around, but there are not enough people doing it. It requires a big investment in insurance – the commercial liability coverage I’m required to have in Montana is $1 million per occurrence with $2 million aggregate. We also have loggers

A Bobcat is used to check logs. Products resulting from wildfire fuel reduction work can be sold to the timber industry to help cover the cost of the work, making it more affordable for the landowner.

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coded workers’ compensation, which is generally higher than tree service work coverage. It can cost around $10,000 per employee per year – if not more – just for the workers’ comp coverage. Insurance companies must use the highest risk coverage that a company incurs, even if it involves only a small portion of their work. The fact that we sell a lot of forest products to mills means that I am required to have logging coverage.”

Castellano notes that insurance coverage and costs will vary state by state. “I am sure that most tree service coverage will cover wildfire fuel reduction projects. Because there is great potential profit in selling the logs and other byproducts of the work, tree care companies can offer reduced costs or even do the clearing work for free.

Skidding logs on a large fuel reduction project. Because there is great potential profit in selling the logs and other byproducts of the work, tree care companies can offer reduced costs or even do the clearing work for free.

Paying the price

(Continued from page 15)

dry conditions without the canopy of the larger trees.1,4

The extreme wildfires of the past two decades are the result of about 80 years of fuel load left to accumulate without nature’s traditional clean-up process – wildfires. The low-grade, cyclical fires of the past were replaced by massive, uncontrollable fires. In response to these fires, the National Fire Plan (USDA-FS and USDI-BLM 2001) was established, with the goals of improving fire prevention and suppression, reducing hazardous fuels, restoring fire-adapted ecosystems and promoting community assistance.

John Waverek, a fire management officer for the U.S. Forest Service based in Missoula County, Mont., works with fire departments including state, rural, city and volunteer. “I have helped get grant money for fuel reduction at about 400 homes in and around Missoula in the past three years,” he says. “To explain how we got to where we are, you just have to look at Smokey the Bear. Smokey the Bear was created 60 years ago in response to catastrophic wildfires that occurred early in the century, taking the approach that all fires were bad and should be suppressed. In this area, at about 5,000 feet and below, you have a Ponderosa pine valley with some firs growing under the pines. At least, that is what we had with the natural fire regime before man intervened.

“Under Smokey the Bear, astronomical numbers of Douglas firs have grown under the pine stand, which is not natural.” Waverek explains. “The Douglas firs act as a
Paying the price

ladder fuel – where before we had frequent fires of low intensity every 10 to 15 years, we now have a lot more biomass causing fires that are infrequent but very intense. With the help of arborists like Rob Castellano, we can reduce the biomass to what it was."

The scale of the potential for future wildfires is enormous, with an estimated 70 to 80 million acres of forests needing corrective treatments. With an existing treatment rate of only 2 million acres a year, uncontrollable wildfires are not going away any time soon. Further complicating matters are funding concerns, and disputes between the timber industry and environmental groups over the most effective way to implement recommended fire control measures.

Complicating the issue is that during the last century, many of the previously uninhabited wildlands and forest areas have become bordered by housing developments, and some forested areas have homes scattered throughout the interior. While wildfires may be allowed to burn unchecked in unpopulated areas, firefighters place a priority on saving lives and, to a lesser extent, property. The National Wildland/Urban Interface Fire Protection Program has developed a methodology of fire hazard assessment under these conditions, ranking a variety of hazards, including weather and environmental conditions, slope, fuel, structure and fire suppression considerations.

Educating homeowners about the importance of creating a defensible space is a critical step in the fire control process, according to guidelines published by the National Wildland/Urban Interface Fire Protection Program. Arborists and foresters can help with the education process, and they can alleviate some of the fire potential by implementing the creation of defensible spaces through the removal of dead trees, reduction of flammable vegetation and replacement of flammable plants with others that are less hazardous. It took nearly a century for today’s hazardous wildfire conditions to develop. It will take a coordinated effort and a well-funded, long-term plan to turn this situation around. According to Castellano, professional arborists and foresters have an opportunity to put themselves in the forefront of these efforts.

Cited References:

Becke Davis is a freelance writer living in Cincinnati, Ohio.
**Community Service**

**Six Bid to Make TREE Fun(d) Redwood Climb**

*By Michael Oxman*

Imagine dangling spider-like hundreds of feet up in the top of a redwood tree, catching the same view birds and small forest creatures have had for 500 to a thousand years or more. Half a dozen lucky guests will get to do just that this spring as part of The TREE Fun(d) Redwood Climb this spring.

The climb will be held at Redwoods River Resort in Northern California in the spring of 2005. A 12-member climbing party, including six guests and six guides, will spend two days scaling the largest of the redwood trees at the resort. The guest climbers will receive training in advanced climbing techniques, and each climber will have his or her own personal guide in the treetop.

Three pairs of climbers purchased this vacation package as part of a TREE Fund auction. The Tree Research Environmental Endowment Fund (TREE Fund) gives grants and scholarships to aid the understanding of, among other things, tree biomechanics and arborist methods. Proceeds from this event will benefit the TREE Fund’s Tree Dynamics & Arborist Techniques Fund, which is very close to the hearts of working arborists.

The Coastal Range of mountains in Northern California and Southern Oregon isolates a narrow strip of land, called the “Lost Coast.” Redwood Highway snakes through the valleys and inlets along this fog-shrouded, rainy lowland. Arriving storms dump prodigious amounts of precipitation on the hills, creating a moist growing environment for the “Forest Giants of the Pacific Coast,” the title of a book by Robert Van Pelt on the largest trees of their species.

One of the characteristics of this forest is the multi-layered canopy, where every available cubic inch of earth and sky is occupied by a dense bloom of green foliage. From the springy carpet of moss-covered decaying vegetable matter underfoot, to the nearly impenetrable shrubs hitting you in the face, the ceiling of small trees fills any void between the overstory trees. The opportunistic rainforest plants grow unrestricted in this moist climate.

And the trees get huge. The dimensions of these trees are staggering: The coastal redwoods get to be more than 2,000 years old, 15-20 feet in diameter and over 350 feet tall. It is quite visually stunning to enter the grove and suddenly be thrown back in time by monster trees looming like prehistoric dinosaurs from a vanished age. It is quite disorienting to look at a tree right in front of you, yet be unable to tilt your head far enough back to see its top. You can get lost just walking around a trunk more than 50 feet in circumference.

Climbing these trees is a magnificent experience of grandeur and solemnity. The patient native forest dweller has existed in this spot since the Bronze Age, without any intrusion or assistance by mankind. To bring in our modern tools to scale its heights for a day is an opportunity to see things from an entirely new perspective. From the treetop, we share the view of the rest of the forest with our host, then pull our ropes and pack out our gear, back to where we came from.

On Highway 101, about 90 miles south of Eureka and just south of the Avenue of the Giants, lies the Redwoods River Resort. This private lodge and campground nestled among the sky-tickling redwoods is on the bank of the south fork of the Eel River. Sponsors of accommodations at the Redwoods River Resort include Collier Arbor Care in Portland, Ore.; Seattle Tree Preservation, Inc.; and Davey Tree Expert Company’s office in Bellevue, Wash. The owner has agreed to allow recreational tree climbing on the property.

The riverbank is very steep in this section of highway, and landslides have frequently shut down traffic and forced a five-hour detour, sometimes for months at a time. The California Department of Transportation has plans to build a pair of bridges across the river and move traffic away from the recurrent slide. A bridge is planned for the area adjacent to the resort, and there were fears that the trees would be lost to the construction project.

Next door is the World Famous Treehouse, a hollow redwood so large, it has a gift shop in the basal cavity. This 18-foot diameter coastal redwood is right on the highway, and a few years ago, it shed some limbs that landed very close to the front door. A climbing assessment of the
2000 FORD F550: 7.3L diesel, auto trans, A/C, 17,500 lb GVW, with ETO 37-IH BUCKET, articulating, overcenter boom, insulated boom, continuous rotation, utility body.

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hazard was done, and the resulting pruning operation of this 250-foot-tall behemoth was documented in the DVD and video, “The Treehouse Project.”

A video of the 2005 climb will be produced by Beranek Publications Video, with Jerry Beranek directing. DVD distribution will be thru the Bishop Arborist Supply catalog, and Bishop is donating all proceeds from the sale of the video to the TREE Fund. Yale Cordage & Bishop are donating all the rope to be used in the climb. The climb logo design is being finalized by Bryan Kotwica. ArborWear will provide custom logowear, and make it available to the general public at TCI EXPO in Detroit as a fund-raiser for the Tree Dynamics & Arborist Techniques Fund.

Michael Oxman is an old growth tree climbing guide and can be reached via www.treedr.net.

Michael Oxman in a 12-foot diameter Douglas fir in Oregon. There should be plenty of room for 12 climbers in some of these big trees.
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**Sherrill offers new Butterfly II Climbing Saddle**

One of Europe’s most popular tree climbing saddles, the Butterfly, was recently redesigned to meet American standards (OSHA 1926.502 & ANSI A10.13) and Europe’s EN358 and EN813. The new Butterfly II is the result of a collaborative effort between European tree climbing experts Frederic Mathias and Francois Dussenne of Canoope Design. Worn by several competition-level climbers, the Butterfly II has built a reputation for comfort and flexibility. Weighing in at less than four pounds, the B2 comes standard with leg strap suspension that supports each leg independently, but can be converted to a batten seat (optional) in less than five minutes. Previous Butterfly owners will be intrigued with the B2’s ability to change out the support bridge by opening the clevis ends. With this new feature many climbers are plugging in their own hardware, such as a swivel or a few captive eye carabiners, to better conform the saddle to personal climbing styles. Available at Sherrill Arborist Supply and participating Vermeer dealers; 1-800-525-8873; www.sherrillinc.com.

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**Crysteel’s New Non-Stick Dump Body**

Crysteel Manufacturing’s new Poly Tipper dump body provides an alternative for contractors who haul loads that stick to traditional steel dump bodies. Constructed of a durable cross-linked polyethylene plastic, the new Poly Tipper offers a non-sticking load surface for easy clean-out of snow, clay and other sticky loads, and at lower dump angles. This durable surface also handles the occasional tough load as well. The new Poly Tipper increases your dump body life as it reduces the amount of steel painted surfaces and the problems of dealing with corrosion. Crysteel’s Poly Tipper is available with either an underbody or bailmount hoist. All Crysteel bodies and hoists are backed with a 5-year warranty. Contact Crysteel Manufacturing Inc. at 1-800-533-0494, crysteel@crysteel.com or via www.crysteel.com.

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**New Hiniker Scoop Plow**

Hiniker Company recently introduced its high-performance, split trip-edge Scoop Plow. The concave shape of the Scoop Plow provides greater capacity, less spillage and faster, more efficient plowing. The Scoop Plow’s 20-degree fixed-angle outer ends help the plow capture snow, making it ideal for clearing lots and parking areas. The plow also angles left and right to allow for conventional plowing applications. Available in 8-foot and 9-foot lengths, the Scoop Plow features a high-impact polyethylene moldboard that creates a low-friction, corrosion-free plowing surface. An exceptionally strong, horizontally-trussed moldboard frame supports the poly moldboard. The moldboard frame is strengthened by twelve laser-cut ribs. A three-section trip-edge with a 9-inch high pivot point provides maximum protection from high obstacles, such as curbs and parking barriers. Each section trips independently, for smoother plowing and less stress on the plow. A “no-pinch” pivot prevents jamming from stones, ice and other debris, allowing for the full return of the trip-edge every time. Call (507) 625-6621 or visit www.hiniker.com.

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**Corona Lopper Line**

Corona Clipper, manufacturer of quality pruning and long handle tools for the contractor, agriculturist, arborist and do-it-yourself markets, is rolling out a new professional line of high-performance loppers that require significantly less cutting force over other competitive products. Featuring a forged and heat-treated hook and blade, the rugged lopper’s deep hook design traps branches close to the pivot axis, helping users achieve improved productivity. The durable Dual Arc bypass blade boosts shearing action. The blade can be easily replaced and re-sharpened. Additionally, all models carry a new pivot bolt system that ensures the nut stays locked in position. Interchangeable parts will simplify spare part inventories for distributors, and users will appreciate the flexibility of being able to easily exchange parts between models. Users will also enjoy an increase in performance with lightweight aluminum handles that provide superior balance. Each lopper features replaceable highly effective shock absorbing bumpers for superior comfort. The vineyard and orchard models utilize the same materials and ergonomic features. The orchard model has a cutting capacity of 2¼ inches and is available in handle lengths of 26 inches, 32 inches and 36 inches. The vineyard lopper has a smaller head, is able to cut up to 1¼ inch and is available in handle lengths of 2¼ inches and is available in handle lengths of 2¾ inches and 3½ inches. The orchard lopper and vineyard lopper are both extremely lightweight, making them ideal for use by gardeners, landscapers and professional arborists. The vineyard line includes models AL 8310-16 inch and AL 8320-19 inch, and the orchard line consists of AL 8441-26 inch, AL 8461-32 inch and AL 8481-36 inch. Contact Corona Clipper’s at 1-800-847-7863 or via www.coronaclipper.com.

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International Introduces New CF Series Truck

International Truck and Engine Corp.’s new, low-cab-forward truck is designed to address a variety of needs for customers working in urban environments. The new CF 500 model targets the Class 4 market with a maximum 16,000-pound GVW rating, while the CF 600 model aims at the Class 5 market with a maximum 19,500-pound GVW rating. Each CF Series model is powered by the new International VT 275 diesel engine, a 4.5 liter V6 design that immediately sets best-in-class standards for horsepower and torque. This engine will deliver peak ratings of 200 hp at 3,000 rpm, and 440 lb-ft of torque at 1,850 rpm. The VT 275 builds on technology established in company’s V8 diesel engine, the VT 365. The CF Series integrated powertrain offers a standard, five-speed over-drive automatic transmission. The CF Series is built on a high-strength, low-alloy steel frame with 34-inch-wide frame rails, taper-leaf front suspension, and standard front and rear shock absorbers. CF Series models offer optional transmission power take off (PTO) capability to operate specialized body equipment. Service technicians will appreciate easy, efficient daily maintenance, with a full-tilt cab and easily accessible service points for fluid checks and fills. Production of the CF Series begins in January 2005. The company will begin accepting orders in late 2004. www.InternationalDelivers.com.

Onset HOBO Wind Monitoring Station

Onset Computer Corp.’s HOBO Wind Monitoring Station is a cost-effective data logger system for measuring and recording wind speed and direction. The HOBO station accepts up to four wind speed and direction sensors – ideal for wind profiling at multiple heights – and reports average wind speeds, wind gusts and wind direction. Other features include: Plug-and-play operation: Once plugged in, Onset’s wind speed and direction Smart Sensors are automatically recognized by the station without complicated wiring, programming, or calibration. Battery-powered operation: The station can run for up to one year on four user-replaceable AA batteries. Wireless data retrieval: Using Onset’s optional 900MHz wireless Radio Modem, users can quickly retrieve and analyze wind data from stations deployed up to five miles away. Also, the HOBO station logs up to 500,000 time-stamped measurements, and can be equipped with sensors for measuring other parameters, including temperature, relative humidity, dew point, rainfall, soil moisture, photosynthetic light (PAR), solar radiation, and barometric pressure. Contact Onset at 1-800-564-4377 or www.onsetcomp.com/hobo.
Arborists Climb to the Sky in 28th International Tree Climbing Championship

The sky (or at least the tops of the trees) was the limit on August 7 and 8 when the International Society of Arboriculture held its 28th International Tree Climbing Championship (ITCC) at West Park in Pittsburgh, Pa. Bernd Strasser of Gomadingen, Germany, and Kathy Holzer of Seattle, Wash., were named male and female international champions.

The event showcased the talents of some of the best tree climbers in the world as they competed for the title of world champion. The competitors are arborists – “professionals in tree care and preservation.” Through these competitions “arborists around the world can learn new techniques from one another and have the opportunity to see new and different equipment” says Jim Skiera, ISA executive director.

Competitors from Europe, the United States, Canada, Australia and New Zealand performed five different climbs on Saturday. These climbs demonstrate their ability to quickly, professionally and safely maneuver in a tree while performing work related tasks.

The top scorers moved on to Sunday’s ITCC Masters’ Challenge championship round. Four men and two women performed for crowds of spectators as they vied for the title of champion.

Bernd Strasser (five time ITCC champion) won the men’s title for the third consecutive year. Strasser emphasizes that one must climb from the heart. “You have to have a love for the tree, not just for climbing.” He continues to return to ITCC because of “the warmth with the other climbers, the open hearts, the exchange of ideas and the increased awareness of trees.”

The women’s winner, Kathy Holzer, took the title after only her second year at the international competition. After watching the women compete at the Seattle ITCC in 2002, Holzer decided she should compete. “I felt it was my responsibility as a woman in this industry to stand up and show that women can be talented climbers.” Competing has also exposed Holzer to new ideas. “The ITCC competition has motivated me to become a better climber.”

ITCC champions receive championship buckles, cash, prizes and the opportunity to return next year to defend their titles. Other competitors who made it to this year’s Masters’ Challenge are: Mark Chisholm; Freehold, N.J.; Frank Chipps; Tofield, Alberta, Canada; Dan Kraus; Seattle, Wash.; Christine Spence, Hamilton, New Zealand.

Carpenter Named Michigan Forestry & Park’s Executive Director

Michigan Forestry and Park Association, Inc. in September named Nancy A. Carpenter, CAE, of Vermontville, Mich., as its new executive director. At a recent meeting, the Board gave their unanimous support for Carpenter as the new executive.

Carpenter, a consultant to small businesses and non-profits, comes to MFPA from the Michigan Water Environment Association where she was executive director. Prior to that she was with the Michigan Society of Professional Engineers.

Carpenter is a board member of All-of-Us Express Children’s Theatre in Lansing, and a member of the American (ASAE) and Michigan Society of Association Executives (MSAE).

The Michigan Forestry and Park Association, Inc., founded in 1926, is the recognized authority on tree care and urban and municipal tree issues in Michigan. MFPA, a chapter of the International Society of Arboriculture, provides educational opportunities to the public, communities, arboriculture and allied professionals leaving a legacy for future generations.
Komatsu Zenoah America
Inc. Names New President

Kunio (Kevin) Watanabe has been named president of Komatsu Zenoah America Inc. RedMax hand-held outdoor power equipment.

Previously, Watanabe was deputy general manager of the overseas marketing department at Komatsu Zenoah in Japan. That department is responsible for marketing the company’s products to all countries outside of Japan.

Watanabe joined Komatsu Ltd., Komatsu Zenoah’s parent company, in 1975, soon after earning a degree in civil engineering from a national university in Japan. With sales of more than $10 billion, Komatsu Ltd. is the second largest manufacturer of construction and mining machinery in the world.

Watanabe noted that the company’s heavy-machinery-based design philosophy has resulted in powerful, durable products, many of which meet 2005 EPA regulations using the Strato-Charged engine.

“I am pleased,” says Watanabe, “that RedMax products are not sold in home centers and other big box stores. I want to deliver our products to dealers who serve customers on a face-to-face basis.”

RedMax, Komatsu Zenoah America Inc. is headquartered in Norcross, Ga.

Terex Utilities Reorganizes Business Operations

Terex Corporation recently reorganized the operations of its Terex Utilities business units to better serve its customers. The operations of Terex Telelect, Terex Utilities-South, and Terex Utilities-West will work together in a single, customer-focused manner under the Terex Utilities banner. Terex Utilities has 22 locations across the country, and its direct channel approach provides customers with “one stop shopping” for Telelect and Hi-Ranger directly from the manufacturer with local support and service.

“Two and half years ago we started a journey with a goal of providing our customers with single-source access to a variety of safe and reliable products and services,” commented Pat Carroll, president of the Terex Utilities operation.

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“Continually improving the value we provide our customers to help them achieve their business goals is the driving force behind this restructuring.”

A supplier of digger derricks, Hi-Ranger aerial devices, cable placers and utility bodies, Telelect equipment is the primary product of Terex Utilities. Complementary products include Terex RO boom trucks, loader backhoes and mini-excavators, and Terex-Genie aerial work platforms.

Morbark Inc., a leading manufacturer of tree care, recycling, forestry and sawmill equipment, is pleased to announce that its brush chippers are now available factory direct in Michigan.

“We’re very excited to be handling Michigan direct,” said Justin Longtin, Morbark regional sales manager. “We feel that we can be more competitive in the market place and give Michigan customers the sales, parts and service they deserve.”

Customers will now have direct access to Morbark’s sales, parts and service departments, which offer a great deal of experience, reliability and a wealth of knowledge. “Now Michigan customers don’t have to go through a dealer to get parts. In addition, the factory has its own rebuild line, which has three experienced individuals dedicated just to brush chippers,” Longtin said.

To better serve its customers, Morbark has also added two Michigan field representatives to the team. Jamie Salvatore and Charlie Stahl, who had extensive prior experience in sales, joined Morbark in February.
experience with Morbark brush chippers at Michigan CAT, joined the Morbark team in February. Adding to their broad experience, both field representatives successfully completed sales and service training at the Morbark factory.

“With Jamie and Charlie’s prior experience, we can hit the ground running,” says Longtin. “Through them, customers will be able to get the knowledge they expect.”

Not only do the field representatives carry parts in their vehicles, but they will also conduct on-site equipment demonstrations.

Morbark, which manufactures a full line of chippers ranging from six-inch to 18-inch capacity, is headquartered in Winn, Michigan.

Dr. Houston B. Couch, Renowned Turfgrass Pathologist, Dies

Dr. Houston B. Couch, one of the world’s first full-time, academically appointed turfgrass pathologists and who developed an international reputation over his career, passed away September 12.

Born on July 1, 1924, he earned his bachelor’s degree from Tennessee Technological University in Cookeville in 1950, and his doctorate from the University of California at Davis in 1954. He finished his career as professor of plant pathology at Virginia Polytechnic Institute and State University, Blacksburg, VA.

Dr. Couch’s first appointment was as an assistant professor of turfgrass pathology at The Pennsylvania State University in 1954. He moved to Virginia Tech in 1965 to serve as head of the Department of Plant Pathology and Physiology.

His career was full of awards acknowledging his significant contributions to the understanding of turfgrass disease management. Most recently, Dr. Couch was awarded the 2002 National Distinguished Service Award from the Golf Course Superintendents Association of America for “Outstanding contributions to the advancement of the golf course superintendents’ profession.” In 2003 he was awarded the United States Golf Association Green Section Award for “Distinguished service to golf through work with turfgrass.”

Dr. Couch leaves his wife of 58 years; Billie Spencer Couch, four sons, a daughter and several grandchildren.
Industry Almanac

Events & Seminars

October 31, 2004
TCIA National Day of Service
Belle Isle, Detroit, MI
Contact: Carol Crossland, 1-800-733-2622; Crossland@treecareindustry.org

November 3, 2004
Tree Care Issues Workshop
Stillwater, Okla.
Contact: Mike Schnelle, (405) 744-7361 or mas@okstate.edu

November 3-6, 2004
15th Annual Green Industry Exposition (GIE)
2004 PGMS School of Professional Grounds Mgt.
Charlotte Marriott City Ctr/Charlotte Convention Center
Charlotte, NC
Contact: www.pgms.org/2004groundsschool.htm

January 10-11, 2005
2005 Empire State Green Industry Conference
(formerly known as Empire State Tree, Nursery & Landscape Conference)
Hudson Valley Resort & Spa
Kerhonkson, NY
Contact: NYS Nursery/Landscape Association, 1-800-647-0384; N.Y. State Arborists, (845) 855-0225; or www.nysna.org

January 11-13, 2005
Eastern Pennsylvania Turf Conference and Trade Show
Valley Forge Convention Center
King of Prussia, PA
Contact: Georigene Thompson: home (717) 243-1349 or georigene@comcast.net

January 19-21, 2005
Kansas Arborists Assoc. 50th Shade Tree Conference
Topeka, Kansas
Contact: Dr. Charles Long clong@tctelco.net or (785) 499-6670

January 27, 2005
Northeastern Pennsylvania Turf Conf. & Trade Show
The Woodlands Inn & Resort, Wilkes-Barre, PA
Contact Georgene Thompson: (717) 243-1349 or georigene@comcast.net

February 1-3, 2005
New England Grows 2005 green industry conf & expo
Boston Convention & Exhibition Ctr., Boston, MA
Contact: (508) 653-3009; www.NEGrows.org

February 6-10, 2005
Winter Management Conference
Tree Care Industry Association.
Los Cabos, Mexico
Contact: Carol Crossland, 1-800-733-2622, Ext. 106; crossland@treecareindustry.org or www.treecareindustry.org

February 7-8, 2005
Pennsylvania-Delaware Chapter of ISA
Annual Shade Tree Symposium and Trade Show
Lancaster, PA
Contact: Elizabeth Wertz (215) 795-0411

February 12, 2005
Long Island Arboricultural Assn. Annual Tree Conf.
Farmingdale State University, Farmingdale, NY
Contact: Jean Brown 516-454-6550, liaatrees@aol.com or www.liaatrees.org

March 2-4, 2005
The Work Truck Show 2005 & 41st Annual NTEA Convention [Conv. March 1-4], Indianapolis, IN
Contact: 1-800-441-NTEA, (248) 489-7090 or www.ntea.com.

March 3-4, 2005
Missouri Community Forestry Council Annual Conf
Lake Ozark, MO
Contact: Justine Gartner (573) 522-4115 ext. 3116 or www.mocounciltrees.com

March 10-12, 2005
TCI EXPO Spring-Tree Care Industry Association
EXPO March 10-11; Outdoor Demo Day March 12
Long Beach, CA
Contact: Carol Crossland, 1-800-733-2622, Ext. 106; crossland@treecareindustry.org; www.tcia.org

April 18-20, 2005
Trees & Utilities National Conference, Omaha, NE
Contact: Steve Pearson, (402) 474-5655, conferences@arborday.org, www.arborday.org

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We live in an age of technological wonders. Time moves so fast that we can easily lose sight of where we came from. My car is older than Google. I competed in my first “Tree Trimmer’s Jamboree” 30 years ago. Attending the International Tree Climbing Championships (ITCC) in Pittsburgh in August, I realized that most of the competitors either hadn’t been born or were not old enough to attend kindergarten in 1974. Once we embrace a new technology like remote control door locks we wonder how we ever managed to put a key in a lock or use a crank to roll a car window up and down. It’s hard to remember a time when TV was black and white and you had to dial a phone number instead of pushing buttons.

1974. Thirty years ago. For young climber’s, this would be the Pleistocene Era when dinosaurs ruled the earth. Well, it wasn’t that long ago, but for those of us who were actually drawing a paycheck instead of drawing with crayons, things were certainly different then. We pruned with Fanno No. 8 push saws. Our chainsaws were Homelites and McCulloughs. Rope came in your favorite choice of Manila. The average charge in commercial tree care (San Francisco Bay Area) was $10 per man hour. We were still in Vietnam. There was unrest in the Middle East. Fuel was in short supply, but the trees kept growing and somehow we kept working.

1974. The ISA was called the International Shade Tree Conference. There was no climbing competition at the annual conference. Since Al Shigo wouldn’t speak to the Western Chapter of the ISA until 1976 in San Jose (California), we still took pride in the way we painted our cuts. Brush was loaded more often than it was chipped.

As long as we’re thinking in time blocks of 30 years plus or minus, a simple leap back 30 years brings us back to World War II. Those young boys who scaled the cliffs at Pointe du Hoc and stormed the sands of Iwo Jima went on in the post-war years to make immeasurable contributions to the growth of this profession. Dr. Richard Harris was a PT Boat Commander. Ed Irish was a Combat Engineer on bloody Omaha Beach. Dick Abbott and Bob Mazany were preparing for the airborne invasion of Japan when the war ended. Those young boys who stood in lines overnight on December 7, 1941 to enlist in the Army (the Air Force was in the army then), Navy, Marines and Coast Guard were the same old men with canes and in wheelchairs pushed by their grandchildren that I saw with tears streaming down their cheeks at the dedication of the WWII Memorial this past May in Washington, D.C.

In 1945, as World War II ended, an 8-year-old boy began to rappel off sheer mountain cliffs in search of falcons. His love for falcons embarked him on a lifelong avocation that influenced his career decisions, led him to arboriculture, and fundamentally changed a profession that for so many decades had upheld a proud tradition unhampered by progress.

Edwin Lancaster Hobbs started doing tree pruning and removal for friends and neighbors in 1949 when he was only 12 years old! He was the youngest person ever to buy a full set of climbing gear from Western Tool and Hardware in San Francisco, Calif.

While I was still in diapers, literally, Ed worked as a rigger and loader in the heart of the Redwood Empire. In the 1950s, while on the Logging Sports circuit; he set records as a competitive high climber that stood for years. Ed became a police officer in 1958 and spent the Kennedy years serving in the United States Army as a K-9 MP, providing security at a missile base. Honorably discharged, Ed returned to his career as a police officer and served a total of 14 years. In 1967, Ed Hobbs and Harry Brizee established B&H Tree Service in Moraga, Calif.

Although they offered a full-range of tree maintenance services – pruning, cabling, and pest control – B&H soon established a reputation for being masters of extreme tree removal. In addition to conventional methods, Ed used sign cranes, line guns, and hook-and-ladder...
trucks to place his climbers in enormous eucs (eucalyptus) and redwoods. In addition to commonly accepted rigging practices, he used cranes and helicopters to move wood. Ed has never stopped thinking about, dreaming up and implementing improvements in tools and techniques.

In my opinion, Ed Hobbs is an authentic genius. Not only can he dream up an idea, he can mill it, lathe it or weld it into reality in his machine shop. Over the years he has patented climbing, rigging and rappelling inventions and has developed scores of other products to meet his own needs.

Husqvarna manufactures a motorized, tracked crawler for use on construction sites. About 10 years ago, Ed bought one and figured out how to stick a small brush chipper on it, converting it into a self-propelled chipper that would go through a gate into a backyard. It sure beats dragging brush!

During the Vietnam War, Ed developed a rappelling kit for pilots who might find themselves stuck in the forest canopy. The prototype was a masterpiece, containing a miniature Figure eight, a carabiner and rappelling line packed into a self-deploying bag that strapped to the thigh of a pilot’s flight suit. The war ended just as he had gotten the Pentagon interested in placing an order.

The Bry-Dan saddle bag.

Named for his two sons, Brian and Daniel, Hobbs’ revolutionary Bry-Dan saddle used separate, articulating leg straps. The system was so unique that Hobbs was granted one of the few patents awarded for a saddle.
Of all of Ed’s inventions, the three that have had the greatest lasting impact on arboriculture have been the Bry-Dan saddle, Hobbs Lowering Device, and the Hobbs Block.

Bry-Dan Saddle

Ed began his work in developing the Bry-Dan saddle in 1970. To truly appreciate how advanced the design of this harness was 35 years ago, many climbers were still tying a bowline on a bight into manila rope and climbing on bosun’s chairs made from oak barrel staves. Named for his two sons: Brian and Daniel, Ed built a revolutionary harness out of Cordura and ballistic nylon cloth and padded the 6-inch wide waist belt with closed cell foam. Now, that’s a long ways from a saddle made from a stave out of an old whiskey barrel tied together with a few feet of manila rope!

Using separate, articulating leg straps, the system was so unique that Ed was granted one of the few patents awarded a saddle. Also unique to the Bry-Dan at the time, was the incorporation of suspenders that made the belt a full-body harness. Primarily intended to help support the weight of a heavy chainsaw, the suspenders also prevented an injured climber from falling through the belt if he/she were flipped upside down. I first used a Bry-Dan in 1977 at the 2nd ISA Jamboree Finals in Philadelphia, Pa. People joked about it and said it looked as though I were putting on a parachute. I told them it had a Euc Man’s parachute built-in – one that opened on impact. Many of the Western Chapters’ finest competitive climbers have prided themselves over the years as being “Bry-Dan Men” – Robert Hunter, Robert Phillips, Gary Abrojena, just to name a few.

Hobbs Lowering Device

In the 1970s we began to experiment with new-fangled synthetic lines. We quickly learned that friction heat that would merely char a 3/4-inch manila bull rope would melt clean through a three-strand polyester. We also learned quickly that although far stronger than manila, three-strand synthetic ropes stretched a whole lot more than the manila lines we knew so well. Stretch and heat were two factors that kept us using manila when other industries were beginning to adopt nylon and polyester lines.

Arborists have been “taking wraps” around tree trunks from the very first time a line handler was jerked out of his boots and catapulted into the next yard. Basic, simple and effective, the practice can also leave friction burns on the tree and rough bark can cause premature rope wear or even catastrophic failure.

In the years before the Hobbs Lowering Device, arborists in general and Euc Men in particular would commonly replace the bumpers on their tree trucks with 4- to 6-inch round pipe. This pipe bumper made (and still does) a perfect snubbing post for anchoring a speedline or taking wraps on a removal. A limitation, of course, was access. It’s pretty hard to drive a 1958 Dodge Power Wagon through a 30-inch gate into a backyard in the steep Oakland foothills.

Among tree companies with connections to the maritime industry, logging or utility line construction, it wasn’t all that rare to see modified bitts, bollards and cleats as rigging aids, but these were all truck-mounted as well.

The story of the tree-mounted lowering device begins with Ed Hobbs. Around 1974, Ed arrived at one of his B&H Tree
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Service removals just as one of his employees was being dragged around a big euc by the weight of a log that was too big for the number of wraps taken. Not too long after that experience, Ed was with a crew taking down a tree with some horizontal limbs at waist height. Ed left a protruding stub, took his wraps on that and the light bulb came on! Ed now had a choice: only take on removals that had horizontal limbs at waist height or bring the stub with him to the trees that were lacking in such amenities. So began years of trial and error and design.

The earliest prototypes began with a fixed spool but there were limitations. Among the first arborists to experiment with synthetic line, Ed soon learned that he couldn’t take the stretch out of the three-strand, 1-inch nylon or polyester ropes that he needed for their strength. Six feet of stretch when you’ve only got 3 feet of clearance over a roof was not a good thing. Ed redesigned the fixed spool into a one-way ratcheting device that allowed him to winch the stretch out of the rope or even do some lifting.

In the research phase, Ed discovered that steel spools could get so hot under load that they could cause severe to catastrophic heat damage to the lowering line, so he changed the design of the spool from welded steel to cast aluminum alloy. In addition to making the device light enough to be practical, aluminum has something like four times the heat dissipation properties of steel.

In 1979, after five years of extensive testing and redesign, Ed created a sensation at the Northern California Tree Trimmer’s Jamboree (Rengstorff Park, Mountain View, Calif.) when he gave the first public demonstration of the first commercially feasible, ratcheting lowering device in arboricultural history. I was there. My father, Millard F. Blair, was there. He was impressed. I was mesmerized. At subsequent demonstrations, in order to add drama to the lifting ability of the Hobbs Lowering Device, Ed would lift the front end of a truck into the air about three feet!

In my opinion, the Hobbs Lowering Device and the companion Hobbs Block set in place the elements of a rigging system that totally revolutionized arborist rigging and the way we would approach the challenge of tree removal.

Before the advent of technical rigging, we could approach removal with the following options:

1. Felling in one piece.

2. Dismantling in sections and pieces without rigging.

3. Roping down. With the exception of the aforementioned truck mounted bumpers and bollards, roping down usually meant wraps and natural crotches.

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Some “old hands” may still well remember an instance when either a lowering line or climbing line cut a groove through the bark and basically locked the rope up from free running. It was common practice to cut the bark out of a crotch down to sap wood to reduce the amount of friction and abrasion damage that rough bark could wreak on a rope.

4. Cranes, A-frames and gin poles were brought in as necessary, but none were of any use in restricted-access sites. Arborists who can drive into almost any backyard in the Mid-West or East can scarcely appreciate the challenge of having to take big oaks, redwoods and eucalyptus trees down in “postage stamp” backyards through a 30-inch gate at best – and through the house at worst!

With the Hobbs Lowering Device, Hobbs block, improved synthetic ropes being developed at about the same time, a systems approach to rigging became possible for the first time.

**Hobbs Block**

As a result of the problems associated with trying to rig through a natural crotch, Ed used his logging experience to design a scaled-down tail block for the specific purpose of arborist tree removal. Before the Hobbs block, we used wooden-sided snatch blocks, single blocks and double blocks. Most had an open hook, a few had a spring-gate closure, but a prudent climber would wire the hook closed to prevent loss if the block jumped around enough to jump out of its lashing. As far as I know, Ed was the first to design an arborist rigging block that incorporated the features that have become the standard today: large diameter sheave, wide cheek plates that protect the rope from abrasion, an upper bolt and bushing so that a rigging rope for lashing the block in place became an integral part of the block.

With the combination of the Hobbs Block and Lowering Device, the first true rigging system was in place. Arborists could now place their rigging where it would be the most advantageous and not where the crotch was attached to the tree. With friction reduced by being reeved through the block instead of a natural crotch, unwanted slack could be cranked out of the rope with the ratchet mechanism built into the device. Words that we could never associate with rigging, such as control and finesse, became part of the same sentence and thought process. Instead of hoping there’d be enough clearance for the rope to finish stretching before the log punched a new skylight through the client’s roof, we could confidently work in zero-clearance situations.

Ed Hobbs changed the profession of arboriculture as surely as Dick Alvarez’s founding of the Tree Trimmer’s Jamboree in 1973 changed the ISA.

When one attends a TCI EXPO or browses a Web site or peruses an arborist suppliers catalog, the choices for arborist climbing line and rigging rope, blocks, shackles, carabiners and lowering devices is staggering. Ed’s original work has evolved and been improved upon since its inception. Ed’s work has spawned imitation and innovation not just in this country but around the world. Speedline rigging techniques, false crotch rigging, deadeye slings and a whole new generation of rigging techniques compatible with lowering devices have evolved over the past three decades.

Climbers just starting out or even with five to 10 years experience might well take this revolution in rigging for granted, without giving a thought to fact that not too many years ago, the veterans of World War II loaded brush, used axes and handsaws every day, and thought nothing of rigging a 100-pound, two-man chain saw high up in a dead elm to save using crosscut saws.

It has often been said that imitation is the sincerest form of flattery. In addition to being flattered, I would hope that Ed Hobbs can enjoy a deep sense of satisfaction that his pioneering efforts made such an indelible change in this profession. In inventing a way to keep one of his men from being dragged around a tree 30 years ago, he has changed our practices and saved lives and property in ways that he can never know.

We don’t erect statues to the heroes of this profession and we have yet to establish an Arborist’s Hall of Fame, but I for one would nominate Ed Hobbs as a candidate for either.

Like Thomas Edison or John M. Browning, I hope that this profession can grow to recognize its authentic geniuses. I hope that 100 years from now, the name Ed Hobbs and many other deserving men are still honored and remembered for their lasting contributions to the profession.

*Don Blair is owner of Sierra Moreno Mercantile in Big Pool, Md.*
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Labor Dept Clarifies Rules on Jobs for Returning Vets

On September 20, the U.S. Department of Labor’s Veterans’ Employment and Training Service issued proposed federal regulations under the Uniformed Services Employment and Reemployment Rights Act (USERRA). These are the first regulations issued under USERRA, which governs employee rights and employer obligations with regard to military leave.

The regulations, developed in consultation with the U.S. Department of Defense, are designed to bring greater clarity to USERRA by providing, “clear and consistent guidance” regarding the statute’s requirements for employers, veterans and military reservists. For example, the proposal provides new guidance on, among other things, situations where employees return from military leave to resume part-time or seasonal positions, where the position formerly held by the employee is on layoff status and the employee is subject to recall, and where two or more returning service members claim reemployment rights to the same position.

The regulations also clarify service members’ benefits, such as health insurance coverage rights and benefits based on performance and/or seniority. The regulations also are intended to clarify USERRA’s protections of returning service members against discharge as an exception to the employment-at-will doctrine.

If this regulation is likely to impact your business, you should be aware of how it could affect your rights as an employer. One area in which you will likely want to focus your attention is its, “statutory defenses against re-employment.” The draft regulation proposes three broad defenses that, not unlike the Americans with Disabilities Act, may not be reasonable or realistic for a very small employer. The employer bears the burden of proving any of these defenses.

Defense 1: An employer is not required to reemploy a returning service member if the employer’s circumstances have so changed as to make such reemployment impossible or unreasonable. In view of USERRA’s purpose, any use of this exception will be scrutinized closely. The employer bears the burden of proving that changed circumstances make it impossible or unreasonable to reemploy the returning veteran. The change must be in the pre-service employer’s circumstances, as distinguished from the circumstances of its employees. For example, the defense of changed circumstances is available where reemployment would require the creation of a useless job or mandate reinstatement where there has been a reduction in the workforce that reasonably would have included the veteran. However, an employer cannot establish that it is unreasonable or impossible to reinstate the returning service member solely by showing that no opening exists at the time of the reemployment application or that another person was hired to fill the position vacated by the veteran, even if reemploying the service member would require terminating the employment of the replacement employee.

Defense 2: An employer is also not required to reemploy a returning service member if such reemployment would impose an undue hardship on the employer. This defense only applies where a person is not qualified for a position due to disability or other bona fide reason, after reasonable efforts have been made by the employer to help the person become qualified. USERRA defines “undue hardship” as actions taken by the employer requiring significant difficulty or expense. It defines “reasonable efforts” as actions, including training provided by an employer, that do not place an undue hardship on the employer. USERRA defines “qualified” in this context to mean having the ability to perform the essential tasks of the position.

Defense 3: The third statutory defense against reemployment requires the employer to establish that the employment from which the person leaves is for a brief, non-recurrent period and there is no reasonable expectation that such employment will continue indefinitely or for a significant period. USERRA does not define “significant period.” Under both USERRA and its predecessor, the VRRA, a person holding a seasonal job may have reemployment rights if there was a reasonable expectation that the job would be available at the next season.

The proposed regulations, published in the September 20 Federal Register, invite public comments for a 60-day period. To view the Federal Register notice and content of this proposed regulation, you can type the following URL into your Web browser: www.regulations.gov/fred/docs/04-20844.htm

Following the 60-day public comment period, the Labor Department plans to issue final regulations, which would become effective 30 days from the date of publication.

Peter Gerstenberger is Senior Advisor for Safety, Compliance & Standards for the Tree Care Industry Association.
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As a small tree care company, we faced what I suspect are very common problems in recruiting, retaining and training employees. Over the years we accumulated a lot of videos, home study courses and other training programs. At times, we wondered how we could put those to better use and document our training.

We worked to overcome challenges to make our training programs more effective. In doing so, we learned, to our surprise, that not only did it help us with our training but also helped us do a better job of assisting our employees in advancing their careers. We further discovered that our efforts to organize our training programs turned out to be helpful in recruiting.

Forest City Tree Protection Company was started by my grandfather in 1910. He was a college student in 1901 when John Davey, a friend of his grandfather, stopped at his house. Davey had brought a wagon load of celery to Cleveland to sell at the farmer’s market. Davey stopped at my great grandfather’s house for dinner and found out that my grandfather was looking for work that summer. Davey had a contract to prune some trees and my grandfather helped. Eventually, he decided to start his own business in Cleveland. Today, we have 15-20 full-time employees.

It is tough to get employees in our industry, but let’s take a moment to understand why. We want someone who:

- Is agile
- Isn’t afraid of heights
- Is a rugged, outdoors type
- Can lift logs and toss them into trucks
- Can leap tall trees in a single bound

When you’re looking for super heroes, it isn’t surprising that it is hard to find them.

We want rugged individuals who like and respect trees – and are willing to learn about their care. We want people with judgment regarding diagnosis and safety. We attract risk takers, give them power tools, call them arborists, and send them out to our client’s properties (sometimes in below-freezing weather).

The risk-taking mentality can lead to accidents, however. We can improve our chances with training, drug tests, and a careful screening of motor vehicle records. Of course, screening limits the pool even further.

Training

Training is important for productivity and to stay in business. Here, Forest City Tree employees bone up on first aid.

We developed computerized charts for every employee to track the dates programs are completed. When we do run some safety programs at certain times of the year – particularly on snowy days in January. What we didn’t have was a basic core of knowledge and training that everyone was expected to meet. Another weakness was that it really wasn’t clear to employees why they should take the initiative to study or watch videos in connection to their advancement within our company.

We had all these resources, but having videos and manuals on the shelf didn’t get employees to move through them in any organized fashion.

We decided to develop a list of what each new hire should complete for training. Then we organized our programs so that a beginning groundsperson could advance to a higher skill and pay level. We used the tests provided with the programs or devised our own. In this way, we could grade individuals when they completed a video program and put the record in each person’s file.

We developed computerized charts for every employee to track the dates programs are completed. When we do...
performance reviews, we have a quick way of analyzing what they need to complete among our training programs to move up.

We stress that advancement is dependent upon accomplishments. Certainly, employees have to demonstrate field skills, too. If they can’t get off the ground it doesn’t matter if they watched every video program ever made. We also have people who are quite competent at climbing who don’t finish the training programs. In our company, they don’t advance until they complete our safety and training programs.

When we first started this system, most complaints originated with our veteran employees. A guy who has been climbing for 10 years doesn’t understand why he has to watch a back injury prevention video in order to advance. Now, people know what is expected of them.

We essentially have two skill tracks for advancement – pruning and plant health care (PHC). We pay our employees different rates depending upon what they are doing and how far along they are in training and knowledge. We will pay that advancement bonus even if the employee isn’t working in the track for which he earned it. For example, if an employee obtains a Class A PHC technician status, he gets a dollar more an hour while working for a pruning crew. We do that because we need cross-trained people. We have some individuals who never spray or fertilize but they have completed our requirements so they get an hourly rate pay bump – even when they are climbing and pruning.

We have a lot of climbers who are not interested in pest management, but there are times of the year when we need their help. It also is helpful when they are on a pruning job if they know more about insects and diseases. With some knowledge, they can point out something to a client or come back to the office and inform the sales representative for that area that the tree needs some attention, making that employee more valuable to us.

We also pay 75 cents an hour higher for a CDL. If employees complete all the crew chief requirements, including a CDL, they get another dollar, so crew chiefs are actually getting a $1.75 an hour bonus. If they achieve their certified arborist status, they get another pay incentive.

Tracking all of these individual achievements allows us to work with each employee. During performance evaluations, we can communicate what they need to do to move up to the next step. This gives them a very clear career and pay path.

We tell them what they need to do to
move up to the next classification, what training components they have to complete, what skills competency they have to demonstrate to move to the next classification level. If an employee has failed a pesticide exam or hasn’t cracked the Home Study book in a year, we have a clear record – with dates. We can encourage him not to give up and offer to help him prepare for the test.

Part of this process isn’t simply to set down rules and wage rates, but to encourage employees. I have found that having organized training programs and documenting their progress (and the resulting raises) in writing makes more of an impression on an employee than just grabbing them at the end of the day and asking him if he is ever going to take the test. It is also interesting to see what happens when spouses see these written progress reports and realize that passing a test could mean a dollar an hour more.

Recruitment

Organizing our training, job classification and advancements had a positive impact on our recruitment. I don’t like to poach employees from local companies, so I posted my first Internet job listing in 2000. The ad quickly attracted several responses, but none of the applicants were from the greater Cleveland area. In fact, none of them were even from the United States. The first response was from Marcin Leszczynski, a recent graduate of Warsaw Agricultural University’s Forestry Program in Warsaw, Poland. After contacting Marcin, we decided that we would do an internship. It’s not something we had ever done, but we decided to learn how.

When he arrived, he had a background in trees and had used a chain saw, but he had no real experience in arboriculture or climbing. He became an accomplished climber in a short period of time.
In addition to achieving Class-A Climber status, Leszczynski worked hard to become an ISA Certified Arborist and Certified Tree Worker. Sorting through piles of paperwork and red tape, I was able to help him extend his stay to include an 18-month internship.

The first internship worked out so well that we brought in a second and third group, branching out to the UK. This is a fantastic opportunity. They are extremely motivated, they love to learn, and they want to absorb as much as they can in the 18-month window that they have here.

While arranging the internship was certainly worth the effort, the paperwork and red tape can be overwhelming. We received assistance in the legal aspects of the program from the Association for International Practical Training. The organization helps employers sort through the necessary forms and protects interns from companies that are just out to get cheap labor. Employers must be able to prove that they can offer an international intern work experience that they can’t get in their home country. We organized the paperwork to show all of our training programs and the career paths available for interns.

I would suggest that all company owners send some e-mails to ISA members in Europe, especially eastern Europe. I suspect there are some students over there who would love to come here and work. They have been great for our company, both in terms of their productivity and in prodding others to move ahead. When guys that haven’t moved up in five years see someone from overseas do it in six months, they decide it is time to finish the Home Study course I bought for them five years ago.

Internships have also helped our recruiting locally. The paperwork we organized in order to satisfy the visa requirements has come in very handy in landing American employees. When someone comes to our office for an interview, we can present a very clear career path with details on what they need to do to move along.

I can’t promise that our system is the answer for your specific training and recruitment problems, but I would encourage you to take a look at how you organize your training materials. Try to view them in a different way. They should be more than a way to keep guys busy on bad weather days. They may be a tool that you can use, not only to improve your existing employees, but add some new, better trained ones with more motivation.

Lauren Lanphear is president of Forest City Tree Protection Company and Lanphear Supply in South Euclid, Ohio. He is vice president of the International Society of Arboriculture and past president of the Tree Care Industry Association. Contact him via llanphear@forestcitytree.com.
TCIA Director On Hand for Grizzly Attack in Wyoming

One of the members of a hunting party that included TCIA board member Tom Tolkacz was attacked by a grizzly bear in Wyoming on September 22.

Partly thanks to Tolkacz’s recent acquisition of a satellite phone that enabled the group to get their friend on a helicopter within an hour and a half of the attack, the victim survived.

The hunting party, which included friends from Colorado, Washington and Wyoming, were hunting elk in Grand Teton National Park. The man guiding the hunting party, 67-year-old Wally Cash, was mauled by a female grizzly. He sustained a serious head injury and broken hand.

Tolkacz, president of Swingle Tree, Lawn and Christmas Decor in Denver, Colo., told KUSA-TV Channel 9 News in Denver the next day that he had spotted the female grizzly and her two cubs that morning and warned fellow hunters. But he said they couldn’t be sure where she was. Around noon, they heard a single gunshot and Cash cry for help.

Cash said later that he had just crossed a creek and climbed a drainage area when he suddenly came upon the bear. “She swatted him and was able to literally bite his head and he was able to fend her off a bit,” said Tolkacz. Cash apparently put his hands over his head, and she bit his hand as well. “There was a fair amount of penetration through the skull,” said Tolkacz.

The bear left as Cash fired a shot and then came back a short time later. “Wally went into a fetal position and played dead,” said Tolkacz. “At that point the bear just pushed on him twice and then left.”

Cash was already bleeding heavily from the head but was still conscious when another member of the party arrived a few minutes later and administered first aid. The bear stayed nearby but didn’t charge again. Tolkacz used his satellite phone to call a Flight for Life helicopter.

Cash was flown to Eastern Idaho Medical Center in Idaho Falls, Idaho. Doctors put a quarter-sized titanium plate in his right temple. They also had to put pins in his left hand. He was released from the hospital after three days. He said he doesn’t blame the bear, that he knows she was just protecting her cubs.

A fund has been set up to help pay for Cash’s medical bills: Wally Cash Grizzly Attack Fund, Union State Bank, Uptown, WY 82730.

Tolkacz was in the media spotlight after the attack, even appearing on the Today Show. But the incident apparently didn’t phase him too much. He was off on another hunting trip, to Canada, a week later.
Owners of small businesses want the best for their families. They often want the next generation – sons, daughters, nieces, nephews – to take over the family business (or at least leave the business without leaving the family).

Statistics say that only 13 percent of family businesses make it to second generation and only 3 percent to 5 percent make it to the third. I have put together a Top Ten list of ways to preserve the family in a family business, customized for the tree care profession, to help you beat the odds.

1. Know your root stock

Know the history of your business – no matter how short it is. Take an hour and document your history. When was it started? By whom?

A family history helps explain the way things are run at your business. You do things in a certain way and chances are the reason involves family history and the way the business was started.

A family history also documents that your business has longevity and stability. Johnson & Johnson is a family company. A Ford is back in charge of Ford Motor Company. Anheuser Busch runs ads featuring the Busch boys talking about how their grandfather started the brewery.

If you are family owned, be proud of it; get it down on paper, brag about it, and put it on your Web site.

2. Look to the well

What role does your family play in the community? As a family, you have to get involved in the community. Some talk about tree care in the schools. Most are involved in the chamber of commerce. You should also back local political candidates. If you are a family business owner in a community, you ought to be picking the mayor and the head of the school board. Sponsoring the local basketball or little league team is what makes a family business different from a franchise operation, run by somebody who is in it for the money.

Potential clients look for a community tree service. They notice who sponsors trophies, who is in the church bulletin, who is standing with the mayor at the Rotary lunch.

3. Label your stock

What’s in a name? Does your company name “tell your story”? The Davey Tree Expert Company and the F.A. Bartlett Tree Expert Company stand on the word “expert.” Slash and Dash Tree Service tells a different story.

There are two kinds of names for businesses. One of them is called WYSIWYG, which means “What You See Is What You Get.” The other kind of name can be defined as membership. There are advantages and disadvantages of each.

WYSIWYG titles would include Acme Tree Service and Budget Tree Service. A membership name might be M.E. Parker Tree Service. When everybody in the community knows who M.E. Parker is, then the name is even more powerful. I don’t rec-
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ommend that people who are just starting out jump to a membership-type name right away. It can be risky, but once you get known it can work well. My favorite is Your Uncle Billy's Budget Tree Care, which merges the two concepts.

The point is, if you are going to have a family business, then why not put the name of the family in it? In your advertisements, mention that you are a family-owned business. People who own family businesses themselves tend to buy from other family businesses.

4. Fences are important

Boundaries and fences are important within the business to distinguish between family and non-family employees. It should be clear to suppliers and customers who the family members are in an organization. The purpose is not to give the impression within the company that family members are better or different but to send a message outside the organization. Customers want to know when they are dealing with a family member, because they know there are talking to ownership. It is also important because your family name can be affected by employees who are not family.

One thing I recommend is that family members work in another family-owned business in a non-competing part of the country where they can grow and learn. When they come back, they will have an understanding of what it is like as an outsider and they will have a certain amount of credibility as they work their way up.

5. See the forest, not just the trees

Family businesses are often criticized because they don’t change. One reason only 13 percent make it to the second generation is that many of them stay with the vision of the founder – and that vision didn’t change with the times or circumstances.

Too often, the founder started a tree service 20 years ago and the way he does things are the way things will be. Owners, and the next generation, have to value dif-
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Preserving the Family in the Family Business

1. Know your root stock
2. Look to the well
3. Label your stock
4. Fences are important
5. See the forest
6. Watch the shadows
7. Try new varieties
8. Trunks support the branches
9. Branches reach for the sky
10. Know when to ask for help

ferences. Listen to the younger kids coming up. Listen to partners and people in other businesses who offer you opportunities. You can’t do it one way “because it’s always been done that way.” That is a recipe for failure.

A good way to grow a company is to bring in new perspectives and new talents. Value differences. Don’t be afraid of trying something new.

6. Watch out for shadows

Owners, or parents, can be larger than life in a business. Don’t cast such a big shadow that the next generation can’t grow. If the owner is all-powerful and makes all of the decisions, then he casts a shadow over all below. Things don’t grow in shadows.

Education for all is one way to avoid this. Take a class with your son or daughter in business management, accounting or computers. Education for both the senior generation and the younger generation will help ease in the next generation.

7. Try new varieties

Think about expanding into related areas of tree care. If you mostly do pruning, think about fertilization, firewood or landscape installation. Diversity gives a son or daughter something to manage and make their own within the business. There is a danger that families will do the same old thing all of the time. You should ask what other things you can do to re-invent the business.

8. Trunks support the branches

The older generation is supposed to help the branches of the family grow, not fight them, every step of the way. I work to get
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conversations started between fathers and sons, fathers and daughters, and sons and daughters. There is a natural tendency to moan about things rather than talk. Senior management, the older generation within a business, has to let go and give the branches a chance. If you don’t, they will leave rather than compete with you.

9. Branches reach for the sky

Trunks don’t tend to move but branches do, which is a common feature of the next generation. Treat your children, in-laws and non-family members as the future because they are. You can’t just nourish the past; you have to nourish the future.

Give everybody an opportunity for as much education as possible. You will never regret it. Whether it is college, industry training, safety training or mechanical training, allow people the opportunity to learn new skills. Don’t be afraid of what they might learn.

10. Know when to ask for help

Your tendency is to be a specialist. For the sake of your business become a generalist. Develop a group of advisors – an accountant, lawyer or insurance agent – who know the specifics of certain areas of business. If you have to pay these people to come in and be your board of advisors then you probably have the wrong board of advisors. All you have to do is hold a big dinner at a nice restaurant every three or four months. If any of them notice something wrong, then you can set up a meeting that will be chargeable.

You can’t force anybody into your mold and you certainly can’t force them into your business. Owners cast a big shadow. If you put your foot down and say “my way or the highway,” your children are on the road.

Dr. Muscat is a senior associate dean and professor with the School of Business and Management at the University of San Francisco. and a director of the Ghellert Foundation Family Business Center.
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Sprouting, Dormant and Adventitious Buds

By James M. Scarlata

Buds are an important part of woody plants. They contain the embryonic structures that will become leaves, flowers or shoots. Many buds remain dormant after forming and do not form leaves, flowers or shoots until induced to sprout after injury or the application of growth regulators. Dormant buds are connected by a pith trail, known as a steele, to the pith of the parent stem. These can survive for many years, as evidenced by sprouts from the base of large trees after timber harvesting. Adventitious buds arise without a connection with the apical meristem. These usually develop into shoots without a dormant period. The importance of these buds in vegetative reproduction, restoration of canopy after injury, and pruning and shaping trees is examined in the photographs presented here.

Dormant buds and vegetative reproduction

The sprouts that arise from the root collars of stumps are an important type of vegetative reproduction. “These sprouts almost invariably arise from dormant buds that were originally formed on the leading shoot of the seedling and grew outward with the cambium.” (Smith 1986). These sprouts are important for reproduction after injury to the trunk and in inducing clump formation of nursery stock. Forest stands that have been cut or burned in the past often contain large numbers of individuals or clumps that developed from stump sprouts. These sprouts can grow more rapidly than seedlings as they can draw on an established root system.

Formation of dormant buds

Dormant buds in woody plants can originate at the terminal bud scar, the base of shoots, or in some species in the leaf axils. Church and Godman (1966) observed in Acer saccharum that usually two dormant buds formed at the top of each scale scar ring at the terminal. They also observed that dormant buds form at the base of shoots. As the collar engulfs the base of the shoot these buds grow outward with the trunk tissue. “Such buds usually persist long after the lateral branches die and fall off.”

Old branch bark ridges and terminal bud scar rings are often visible for many years, especially on trees with smooth bark. On some species, dormant buds themselves may be visible upon close examination of the bark.
A few species produce short-lived rings of adventitious shoots from the stump, shown here on horse chestnut, Aesculus hippocastanum.

Adventitious buds

Adventitious buds arise from undifferentiated tissue. They then develop into shoots without a dormant period. In some species adventitious buds develop in the root cambium, resulting in root suckers. A common misconception is that epicormic sprouts following injury are adventitious. According to J.A. Rhomberger “Initiation of adventitious buds on shoots of trees beyond the seedling stage may be uncommon.”... “Many of the new branches that form after pruning probably originate from dormant buds already present at the time of pruning rather than from adventitious buds” (1978).

Adventitious buds are most important in the reproduction of certain root suckering trees and shrubs. In some species and locations, reproduction from root suckers are more common than seedlings. Several species of Populus are commonly regenerated by clear-cutting stands to stimulate root suckering. Other examples of root suckering trees include sassafras, Sassafras albidum; sumac, Rhus sp.; black locust, Robinia pseudoacacia; and American beech, Fagus grandifolia. When root-suckering species in the landscape are injured, they often send up sprouts in turf or beds. These can remain attached to the parent tree for some time, so the use of systemic herbicides for their control may injure the parent plant.
Dormant buds and aerial sprouting

Sprouts on the bole and branches are the means for a tree to restore lost canopy after storm damage or defoliation. In defoliation and pruning experiments by Godman and Mattson (1970), sprouting after defoliation or pruning was from dormancy break of established buds on the stem. This was established by identifying and marking external dormant buds prior to the treatments and correlating the sprouts with the marked buds. Maintaining diameter growth and thus wound closure depends on re-establishing lost canopy area.

Samples, from left to right.
1. Terminal shoot of Fraxinus americana. Lateral buds at the base of terminal bud will be located at the terminal bud scar when the branch grows.
2. Section of Fraxinus americana showing terminal bud scar.
3. Three cross-sections containing steeles from dormant buds. From top to bottom; Fraxinus americana, Acer platanoides, Ulmus americana.
4. Longitudinal section with steele from Picea abies.
5. At right, bark section with external dormant buds from Acer platanoides.

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Pruning

Pruning and the application of growth regulators that kill the terminal bud (chemical pinching) are used to encourage lateral shoot development on nursery stock and in the landscape. This releases buds that were kept dormant by hormones produced in the terminal bud and other plant organs. Both timing and dosage of pruning will affect sprouting. The higher the dosage of pruning the greater the alteration of hormone levels in the plant. Pruning before new growth emerges in spring and auxins are being produced in plant organs may cause immediate sprouting. Later in the season, residual levels of auxins, which move downward in the plant by gravity, can delay or reduce sprouting. Pruning of apple trees in fruit orchards is sometimes performed in late summer to take advantage of this. The same sprouting mechanisms are engaged following storm damage or other injury. Sprouting from dormant buds is an important factor in the restoration of storm damaged trees. By looking for locations where dormant buds form, an arborist can estimate the sprouting potential of damaged limbs and determine the best locations for restoration cuts.

References:

James M. Scarlata is a consulting arborist and forester in Manistee, Mich.
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New Line Clearance Rules May Sprout Opportunities for Tree Care Businesses

By Rick Howland

It looks like the federal government will deliver one of its kinder cuts to the tree care industry, assuming that proposed mandatory clearance requirements for power lines continue to move forward on the federal front.

The proposal now before Congress for standards and practices in vegetation management comes in the wake of the August 2003 blackout. That event was triggered by a high voltage line sagging onto a branch in Ohio. The official reports of the incident pretty much agree that the fault lies with overgrown trees that were responsible for shorting out a brace of electrical distribution lines. That arbor-related incident, compounded by human and system failures, led to outages affecting more than 50 million people in the Northeast United States and Canada two summers ago.

During the investigations that followed, one development watched most closely by both the utility industry and the tree care industry has been the growing call for mandatory vegetation management.

How important is the issue? Pretty serious, given the government viewpoint. A statement from the U.S. government in one of its reports in the spring of 2004 said that “The August 14, 2003 blackout is the most recent demonstration that ineffective vegetation management may have serious adverse impacts on the reliability of the electric transmission systems. (Proposed standards) will assist in reducing vegetation-related transmission outages by requiring each transmission owner to have a documented vegetation management program in place, including documentation of its implementation. Each program is to be designed for the geographical area and specific design configurations of the transmission owner’s system. This standard will also provide for uniform reporting of vegetation-related outages to the Regions and to the North American Electric Reliability Council (NERC) so that planning authorities and reliability authorities can measure the impact of vegetation-related outages on the reliability of the interconnected electric transmission systems.”

While that is certainly a governmental mouthful, it translates to the potential for huge and predictable year-round business for the arborist as long as he or she is trained and certified for such high-powered clearance work. Conversely, it also can present major liabilities and penalties for those who want a piece of the action and fail to comply. There are major fines for performing utility vegetation procedures without proper equipment and certification. Those regulations are in place because the power in conductive lines can be lethal unless one knows how to work in that environment.

Following numerous meetings and public debates begun last fall under the auspices of the U.S. Department of Energy, the first official call for uniform standards began after Labor Day. On September 7, the Federal Energy Regulatory Commission (FERC) released its recommendations to Congress.

In part, in its Utility Vegetation Management & Reliability Final Report, FERC calls for the following to be adopted:

- The United States Congress should enact legislation to make reliability
standards mandatory and enforceable under federal oversight.

- Effective transmission vegetation management designed with clear, unambiguous, enforceable standards that adequately describe actions necessary by each responsible party.

- State and federal regulators to coordinate authorities so that jurisdictional considerations do not impede effective vegetation management.

According to Kevin Eckert, owner of Arbor Global, a multi-national arbor care consulting firm and former president of the Utility Arborist Association, there’s still a long way to go before regulations are set in stone. Still, he is of the opinion that it’s merely a matter of time until nationwide standards are put in place.

Here’s the situation: Currently, the North American Electric Reliability Council (NERC), comprised largely of the utilities and utility support groups such as the utility arborists, is working with the feds to develop a workable solution. The first step has been to put together a group of utility arborists, consultants and engineers whose ongoing challenge is to develop guidelines that will determine how the feds (FERC) will proceed. That includes what cutting, pruning and herbicide standards and practices should be implemented. The FERC will look to see if the suggestions become implemented (and implementable) rules or recommended guidelines.

Talk right now, according to Eckert, seems to be all about mandatory clearance and the establishment of minimum standards for the interstate power transmission system. Our neighbors to the north are also very interested in the fruits of the group’s labor, since the power grids for both nation’s are so tightly-knit, he says, and Canada also has been hit with similar blackouts.

For example, one of the key standards will be to determine what kind of standards will exist near or around 230KV lines (the big cross-country transmission, or “high-tension,” lines) to ensure that no part of a tree comes within so many feet (10 for example) of a conductor under what is called maximum blowout. The geometry formula is a bit of complicated engineering, but the minimum clear area around a line has to do with the overall “sag” of a conductor under maximum power, heat and environmental load, including wind. With power line spans of anywhere from a few hundred feet to a mile or more in mountain-top applications, clearing criteria will very widely by geography.

“This is a great opportunity from several viewpoints, both for the utility and for the arborist,” says Lynn Grayson, current president of the Utility Arborist Association and a 24-year veteran of the business. “We’re definitely interested in doing what’s needed to provide reliable and safe electrical service and, from a homeland security standpoint, to provide a secure infrastructure.” He cited problems associated with the August 14, 2003, blackout with people trapped in subways, elevators and standstill traffic and added that everything that could be done should be done to minimize power line distribution problems in the event of a disaster, whether natural or manmade.

“For companies that have done the training and attained the certification and specialty equipment for utility jobs, there could more work and, unlike much of traditional tree care, utility work is virtually a year-round program.”

“Utility arborists,” Grayson says, “have some concerns, though for the most part recommendations are good. The big ones are the need for clear, un-ambiguous standards; calling in the state, federal and local authorities to coordinate – not impede – the vegetation management process; and reasonable recovery of costs, and allowing for state and federal procedures for emergencies.” Right now, he says, at least six utility arborists are on the
NERC committee working to draft a standards framework.

Grayson says that many utilities and their arborists already are involved and in compliance with integrated vegetation programs and will continue to work to achieve the goals of both NERC and FERC. The challenge, he recognizes, will come when the major demand for qualified vegetation management hits and puts a strain on a workforce that will require more training, safety and performance standards. “Labor already is a challenge. Labor is tight, and it’s getting more difficult to fine people in this kind of work. But the opportunity is there for the tree care professional who’s prepared to meet the challenge.”

The opportunity will come, he says, and will be a direct result of the level of training and certification and higher specialty equipment levels. Not only will there be more work, he predicts, but Grayson also notes that, unlike much of traditional tree care, utility work is virtually a year-round program and thus one way to expand if not smooth out the business. But he warns, as does Eckert, that this utility work is not for a mom-and-pop operation. He cites OSHA safety requirements near energized conductors and equipment and ANSI guidelines.

Opportunity aside, the biggest concern of all for those in the business is the issue of requirements and enforceability. The issue revolves around access to federal or private lands and challenges by landowners as to what a utility arborist can and cannot do. As Grayson puts it, the issue will be the need to ensure that whatever the policy, and regardless of whether they are rules or guidelines, it is neither too strict nor too lenient.

One is a public relations problem; the other is one of long-term reliability. Cut or clear too aggressively and risk the wrath of landowners (Eckers sees as much as 10 percent of the urban forest at risk with uniform, national minimum standards) and environmentalists or cut too conservatively and risk reliability plus excessive cost to the utility for repeated clearance jobs.

The objective, they say, is to find a solution that delivers a mix of maximum workable distances, wise species selection (slower growth) and vegetation management to include herbicides, cutting and proper pruning. Without that effort to reach a consensus, mandatory clearance requirements could work to the arborist’s detriment.

At ground zero for this issue are TCIA members like Ty Bewley, founder and owner of Poor Boy Tree Service, Inc. Headquartered in Missouri, the 15-year-old business with a deep history in utility arbor care reaches Minnesota, Iowa, Arkansas, Kansas, Oklahoma and Illinois.
“From my vantage point, I do utility cost analyses, and I see how much is spent by utilities in those states on vegetation control. Some spend $50 over an area, others spend $16,” says Bewley. Part of the cost swing is due to geography, which determines the length of the growing season and regional species, both of which affect cost. The rest is right-of-way management practices, which Bewley describes as varying from utility to utility – some being more proactive than others.

The biggest problem he sees in mandated policies will be in enforcing the requirements themselves. While keeping vegetation a minimum of 10 feet from any utility line (to include maximum sag and wind deflection) may make sense for the high-tension power transmission grid, Bewley sees the need for exceptions for lower power lines near (privately owned) yard trees.

Therefore, there’s a big difference between the vegetation management and cutting needs of a brush line that follows high voltage wires and the manicured grounds beneath lines in inhabited areas. Bewley suggests 8 instead of 10 feet of clearance from the centerline, and pruning based on the species – more aggressive cutting on faster growing trees.

“We need clear rules and clearance,” he says. Even in cases where a landowner and lawyer may make a preposterous claim that goes in favor of the utility and the utility arborist, the fact is that the tree care contractor will likely have had to move on then return to the site to finish work, an unnecessary cost from Bewley’s perspective. “Then there are the times we can’t take equipment over someone’s yard. The equipment may be safer and faster, but we often have to walk in, climb and cut. It’s not safe,” Bewley says. “We need a mandate for access.”

He does offer one solution – education. Bewley’s crews come into contact with every home in a substation area and could be very effective working with the federal government and the utilities to deliver education materials right to each door – even if it’s only a doorknob hanger. “We’d be happy to do our part to train the public about what we’re doing and why.”
Accreditation Helps Dodge OSHA Fines

By Robert Brudenell

I was eating my lunch recently when the foreman of our pruning crew called on my cell phone. I almost choked on my salad after his first four words, “OSHA is on site.”

I exclaimed, “What?” He repeated very slowly, “OSHA is on site.” I told him to stop all work at the site, cooperate with the inspectors, and to call me immediately when the inspectors left. Unknown to us, we had been working at a job site less than a half block away from a local OSHA office. The inspectors were on their way back from lunch when they spotted my crew and stopped for an inspection.

A recent directive from the U.S. Department of Labor – Occupational Health and Safety Administration (OSHA) has established a regional emphasis program for targeting tree trimming operations in Region 8’s jurisdiction (Colorado, Montana, Wyoming, Utah, North and South Dakota). The directive was ordered due to “increased rates of fatalities, injuries, and illness rates in our industry” and because we “fit the profile of a unique business where OSHA is trying to make a positive impact.”

According to the directive, “All compliance personnel shall be instructed to be on the lookout for tree trimming operations during the course of their normal activity.” Compliance personnel are required to stop unless they are “traveling to a fatality/catastrophe or imminent danger inspection.” If the original officer is not able to perform the inspection, however, the directive further requires that the information shall be passed to another compliance officer to handle the inspection.

I had heard horror stories of fines, red tape and – did I mention the fines? An hour or so later I got the call from my foreman that they had left. He told me that they interviewed all four people on the crew, videotaped our crew and equipment, and inspected our equipment and the work site. We hold weekly training sessions and I am constantly on my guys to wear their hard hats and eyewear, to put out cones – but there are so many other things.

During the inspection, the inspectors questioned several things at our work site. They asked questions about one climber’s Kevlar helmet that did not have an ANSI tag in it, a small carabiner that was holding a figure eight on a saddle, awareness of a Hazard Communications Manual, training the workers had received, and Material Safety Data Sheets (MSDS) for the chain saw gas and bar oil.

Later that afternoon I got a call from the OSHA inspector. The inspector asked for the MSDS for the chain saw gas and bar oil, all training records for the employees who were on site, a copy of our Hazard Communications Manual, verification that each employee was familiar with the manual, and anything else that would help them confirm our compliance with OSHA and ANSI standards. The inspector wanted all of this the information the next morning!

I was very polite on the phone and told the inspector that the Tree Care Industry Association (TCIA) recently accredited our company and that I was pretty sure that we had everything the inspector was requesting. I also emphasized that we were willing and wanted to comply with all OSHA and ANSI standards because we were a professional company.

After I hung up, I ran to our file cabinet and asked our office manager if the Safety Manual we recently developed with the aid of TCIA during our accreditation process contained Hazard Communication information. I thought it did but the terminology OSHA used threw me. When I reviewed the safety manual, I realized that our Safety Manual contained the information that OSHA called Hazard Communications.

Next I looked in our employee files for additional information. I knew we had been keeping our employee files current because it was easy, helped us to keep things straight, and it simply made sense. I wasn’t certain, however, if we really had everything that OSHA was asking for. I pulled out training sheets that outlined the different levels/status of the employees that were on site. The employee training checklists, such as the Initial Safety Orientation Checklist, Tree Care Apprentice Training...
Checklist, and Tree Care Specialist Training Checklist, made verification of our training a simple process. Line items of the checklists covered everything OSHA was asking for and more, including: Introduction to company safety policy; Introduction to ANSI Z133.1 safety standards; and a form for, “This employee has been checked-out on the following equipment (a, b, c ...).” We also had documentation of our weekly tailgate safety meetings; a certificate stating the employee had received, reviewed and agreed to abide by our employee handbook; and, a Certificate of Driver’s Road Test in each employee file. I just had to make copies of this information. A quick search on the Internet provided the required MSDS forms.

In an hour, I had all the information the inspector asked for. Less than one year ago, I would have had no training documentation other than the Tailgate Safety information and would have been in more trouble with OSHA than I thought I was already in. TCIA had provided all the templates for the manuals, checklists and certifications during accreditation, we just had to insert our company name and make minor changes and additions. They had done our homework for us and developed all the information we needed; all we did was implement it and keep it current.

The next morning I called the OSHA office. I told the inspector I had everything they had requested and would be providing additional documentation of training. When the inspector asked if I had been able to verify if the helmet in question was ANSI approved, I told her I could not find anything to that effect and that the helmet had been taken out of service, that I had already ordered the climber a new helmet and that he would be wearing a standard hard hat in the meantime. I asked if there was a good time to meet and the inspector told me to drop off the information at the front desk and they would call me to schedule a hearing after a thorough review of my documentation.

(Continued on page 70)

Free Consultations Aid With OSHA Compliance

By Kathy Flannery

The Occupational Safety and Health Administration (OSHA) is seeking to reduce injuries and illnesses in the landscaping/horticultural industry by four percent. What this means is that they will be taking a closer look at injuries/illnesses that occur and making sure that companies are in compliance with the OSHA regulations. To assist companies in complying with the OSHA regulations every state has an “OSHA Consultation Program.”

The OSHA Consultation Programs offer free consultation service designed to help employers recognize and control potential safety and health hazards at their worksites, improve their safety and health program, assist in training employees, and possibly qualify for a one-year exemption from routine OSHA inspections called SHARP (Safety and Health Achievement Recognition Program). The consultation programs are jointly funded by the grantees – usually state agencies – and the U.S. Department of Labor/OSHA. The program is primarily targeted for smaller businesses in high hazard industries; such as landscaping, manufacturing, healthcare and construction. It is a confidential service in which your firm’s name, and any other information you provide as well as any unsafe or unhealthy working conditions, if found, will not be reported to the OSHA inspection staff. The only exception to this is if there is an imminent danger or a situation that could cause death or serious physical harm that an employer does not correct.

The primary objective of the Consultation Program is to help employers recognize and control potential safety and health hazards in their workplace. Consultative surveys consist of on-site safety and health visits which will include a review of applicable OSHA standards along with a written report. Although the principal assistance the Consultation Program provides is on-site surveys, other assistance is also available. Consultants can provide training seminars to your employees or to multi-employer groups, help you establish or strengthen your safety and health program, or provide technical assistance on how to implement and maintain the program.

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**Accreditation**

I stopped in the OSHA office later that morning and handed them a folder of copies of the employee files and a color copy of our safety manual. I included all the extra training documentation to be sure my bases were covered. I had a thick stack of MSDS forms for all the liquids kept on our trucks and a copy of my receipt for the new hard hat I had ordered for the climber with the questionable helmet.

Later that day I received a call from OSHA. The inspector thanked me for providing all the required documents and verification of training and said that the phone call would be the closing hearing. The inspector thanked me for being cooperative during the process and commented on the politeness of my crew. I was waiting for the amount of the fine when the inspector told me that I would be getting a letter of recommendations that would discuss areas of improvement and that there would be no fines.

“Excuse me,” I said. The inspector repeated, “There will be no fines imposed on your company. Your company is doing everything right – keep it up. Great job Robert. Great job.”

I was elated, to say the least. I know my company is not doing everything right according to OSHA and ANSI standards – that is impossible. But it appeared that we were and, most importantly, we documented our efforts. I told my wife, a lawyer, everything the inspector told me, and that we were not going to be fined. She said, “I can’t believe it. I thought OSHA fined everyone. You know, I bet that accreditation process helped.”

Little did she know. Accreditation not only helped, it was the process that put my company and my employees in the position not to be fined.

Robert Brudenell is an ASCA Registered Consulting Arborist and ISA Certified Arborist, and owner of TCIA member company The Natural Way Inc., “an environmentally conscious tree, shrub and lawn care company,” in Englewood, Colo.

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**OSHA Consultations**

Support in any safety and health related area. Offsite technical assistance, regarding OSHA standards, guidelines or interpretations, can be provided by contacting the program. Some of the applicable OSHA standards would include Personal Protective Equipment, Hazard Communication, Respirator and Blood Borne Pathogens, all which require written programs that can be provided to you by the consultation program. The consultants are highly trained, qualified individuals, usually with many years of safety and health experience.

Since this service is voluntary, you must request a consultative visit by calling the consultation program in your state. Your request sets the consultative process in motion. The Consultation Program prioritizes each request received and schedules on-site visits accordingly. The Program gives priority to smaller businesses (less than 250 employees per establishment or 500 employees nationwide) in high hazard industries.

Knowledge of your workplace hazards and ways to eliminate them can only improve your own operations and the management of your firm. You will get professional advice and assistance on the correction of workplace hazards and benefit from on-site training and assistance provided by the consultant to you and your employees. The consultant can help you establish or strengthen an employee safety and health program, making safety and health activities routine considerations rather than crisis-oriented responses. To contact the consultation program in your state go to www.osha.gov/dcsp/smallbusiness/consult.html for a complete listing of consultation programs. Also at this Web site you can learn how other companies have benefited from the Consultation Program.

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**Kathryn Swanson Flannery is with the Massachusetts Division of Occupational Safety/Consultation Program and can be reached at (617) 969-7177 x 306 or via e-mail at kathy.flannery@state.ma.us.**
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TCIA Garners $197,566 Federal Grant for Electrical Hazards Training Workshops

By Mark Garvin

The Tree Care Industry Association (formerly the National Arborist Association) was recently awarded a federal grant in the amount of $197,566 from the Occupational Safety and Health Administration (OSHA).

The grant was awarded to TCIA through the Susan Harwood Training Grant Program, which provides funding for non-profit organizations to conduct training and education programs or to develop training materials for employers and workers on the recognition, avoidance, and prevention of safety and health hazards in their workplaces.

“This grant is an important component toward achieving our industry’s goal of reducing injuries and fatalities with respect to electrical hazards in tree care work,” stated Cynthia Mills, TCIA president. “With the help of this grant, we can work toward keeping workers safe and electric lines clear of vegetation.”

Specifically, the funds will be used to develop free workshops to train employers and employees of tree care companies in safe ways to handle electrical hazards associated with trees. “Workshops will be offered in English and Spanish, with accompanying materials and literature printed in both languages as well,” says Lee Gilman, products & services developer for TCIA.

“When trees encroach on electrical conductors, the safety of tree trimmers and the reliability of our electrical delivery systems both suffer,” notes Peter Gerstenberger, senior advisor for safety, standards and compliance for TCIA. “The award of this training grant will go a long way in reducing fatalities due to electrical hazards, even as calls for vegetation management activities increase in response to the Northeast’s Aug. 14, 2003 blackout.”

In announcing the grant, U.S. Rep. Jeb Bradley (R-NH) noted that “approximately 34 percent of fatalities of tree care workers are directly related to electrical hazards. These workshops will enhance tree care safety standards and training, ultimately reducing the number of fatalities and injuries in this industry. I am pleased to lend my support to a project that will help to save lives.”

TCIA is an international trade association that develops safety and educational programs, standards of tree care practices, and management information for tree care firms throughout the world. TCIA also offers an Accreditation program, a seal of approval that helps discerning consumers identify trustworthy companies. TCIA’s Electrical Hazards Awareness Program (EHAP), introduced in 1975, has helped train thousands of arborists – those involved in line clearance and those working on residential properties near energized lines.

Mark Garvin is vice president of Public Policy & Communications for TCIA.

Companies, organizations, groups, or municipalities that are interested in hosting an EHAP workshop in their area should contact Lee Gilman at TCIA’s headquarters by calling 1-800-733-2622. Arborists interested in attending a workshop should contact Amy Waterstrat at 1-800-733-2622.

TCIA’s Electrical Hazards Awareness Program (EHAP), introduced in 1975, has helped train thousands of arborists – those involved in line clearance and those working on residential properties near energized lines.
Interested parties may pre-register for waiting lists to attend one of the FREE Electrical Hazards Awareness Program (EHAP) seminars, made possible by a federal grant from the Occupational Safety and Health Administration.

The grant was awarded through the Susan Harwood Training Grant Program, which provides funding for nonprofit organizations to conduct training and education programs for employers and workers on the recognition, avoidance, and prevention of safety and health hazards in their workplaces.

TCIA’s Electrical Hazards Awareness Program (EHAP), introduced in 1975, has trained thousands of arborists involved in line clearance and those working on residential properties near energized lines. It is widely recognized as the training standard for complying with OSHA 29 CFR 1910.269 regulations.

The FREE workshops will provide participants with most of the formal requirements of an Electrical Hazard Awareness Training Program (EHAP). Topics will focus on training requirements that serve as a prerequisite for working within 10 feet of an electrical conductor. Participants will learn about identifying electrical system components, the presence and nature of electrical hazards, protective measures available, and common unsafe acts to avoid. Workshops will be offered in English and Spanish, with accompanying TCIA EHAP materials (a retail value of $135) provided at no charge in either language.

Approximately 34 percent of tree care worker fatalities are related to electrical hazards. These workshops will help reduce the number of fatalities and injuries in this industry.

TCIA (formerly the NAA) is an international trade association that develops safety, education and management programs and standards of tree care practices. TCIA is the only accrediting body of tree care firms in the United States.

Companies, organizations, groups, or municipalities interested in hosting an EHAP workshop in their area should contact Lee Gilman at TCIA’s headquarters by calling 1-800-733-2622.

If you are interested in attending a workshop please call Amy Waterstrat at 1-800-733-2622 to pre-register.

Pre-registered parties will be notified of times, dates and exact locations. Pre-registration is for waiting list only. At time of notification, full registration will be accepted. Seminars will be located in most major metropolitan regions.

This is NOT a complete certification program. Passing chapter exams from the manual provided and completing approved CPR and first-aid courses are also course completion requirements which may be used by employers to support designation of qualified line clearance trimmer status. For more information about TCIA EHAP certifications, call 1-800-733-2622 or visit us online at www.tcia.org.

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This material was produced under grant number 46A4-HT33 from the Occupational Safety and Health Administration, U.S. Department of Labor. It does not necessarily reflect the views or policies of the U.S. Department of Labor, nor does mention of trade names, commercial products, or organizations imply endorsement by the U.S. Government.
Some people say there is no difference between management and leadership. There is. Management is about planning, coordinating, organizing, directing and controlling. Leadership is about coaching, facilitating, motivating, teaching, communicating, building trust and developing teams. Management is an isolated piece of the business puzzle, whereas leadership is more comprehensive in nature. Your company needs good managers, but it needs leaders even more.

For many years we didn’t worry about leadership. Fifty years ago we needed managers – one supervisor assigned to every three or four people. They worked alongside, giving direction and focus. Most work units are still managed, not led. Unlike “manager,” leader is not a job title. If you have to pull rank on somebody, then you are still managing. Managing is important, but today’s worker is different. To get the most out of employees, owners need to focus more on leadership skills.

A manager can only manage so many people. If you have four or five employees, you can control things directly. Today’s workforce doesn’t like that approach. The average length of employment for a worker today is 3.4 years. Ten years ago it was 17.8. If you don’t treat your employees the right way then they will take a walk.

Leadership is more than just handing out directions. Leadership is getting them to want to do something. It is the ability to assimilate a group of people into a high performance team that is committed to common goals:

- The betterment of the customer.
- The health of the company.
- Ultimately, each other.
The number one challenge of any small business is to stop long enough to put in place processes and systems. If you don’t do those things then you will remain the person who has to make every decision every morning – which employee gets into which truck and drives which way and takes what equipment with him. That puts too many burdens on the owner, because nobody can remember and manage every detail.

Many entrepreneurs are great at doing things themselves. But if you grow your company, you figure out that you can’t do it all by yourself. Leadership is about recognizing different personalities. (I used to recognize that people were different; I just thought that they were all strange. As long as everybody saw things my way we would do just fine.)

Leadership is making sure that we do what the customer needs. Leadership is a belief that employees are capable of contributing. Leadership is providing a foreman the opportunity for continuous improvement. Leadership is understanding that your best ideas will come from your employees – but only if you are willing to listen to them. Leadership is believing that employee involvement is the key to competitive success. Leadership is embracing change because all industries are based on change. Leadership is confidence and coaching and facilitation skills.

Leadership is a reputation built on the ability to influence others to follow voluntarily based on a foundation of trust and performance. Leadership is the willingness to get rid of the poor performer and let people know that anything less than superior performance will not do.

Adaptive leadership

Moving from management into leadership does not mean letting people go off on their own without direction. Leadership is about understanding where the talent is in the group. What are the skills of the group? What is the motivation of the group?

Based upon the speed of learning, skill
level, motivation and talent of the group, you can determine what you need to do as a leader. If you hire raw recruits, you will give them direction. On the other hand, if you have an experienced crew, you can lead and coach. A good coach sometimes has to get into the faces of their employees. The under 30 crowd wants feedback. If they do a good job you pat them on the back, but if they do a lousy job you kick them in the rear. This is part of leadership.

The ideal is to have crews you can hand a work order to and turn loose? Of course in tree care, every time a crew works pretty well together there is a temptation to split that crew up. Owners have convinced themselves that if they spin the members of a good crew over to another crew the other crew would get better. Sometimes this works and sometimes it doesn’t. Sometimes, the best thing is to leave your high performing crew together because member of the crew is better at certain tasks.

Of the four styles of leadership (controlling, coaching, facilitating or empowering), owners of small businesses tend to favor control. It is hard to delegate. The key is to learn when to use each of these four styles.

So many times we are frustrated in our attempts at motivating people. Yet, we haven’t stopped long enough to understand that the most important thing that motivates people is an understanding of their character, behavior and temperament traits. There are many different motivation theories. The problem is that most owners tend to only work from one motivation theory –

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sonality and they are motivated in
different ways.

Communicate your message in large and
small forums – and keep the message con-
sistent. Never assume that others will
understand. Your job as a leader is to make
sure that you always ask your employees
what you can do better. The size of your
company doesn’t matter; always ask your
employees that question.

If an employee has been coached and has
been trained and given all of the tools
needed for their job and after two or three
years is still making the same mistakes
over and over, then it is time to sit that
employee down and ask “Do you like your
job?” If that person is honest, he will most
likely answer no. Then you can figure out
where to go from there. Leadership is
about realizing that round pegs and round
holes are more productive. You can take
those round pegs and drive them into a
square slot, but it gets harder and harder all
the way around.

Jeff Stokes is CEO of Pinnacle
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Gearing Up for Snow

By Steve Smith

In fall, while most of the nation is carving pumpkins and lounging away Saturdays and Sundays by watching football, snow professionals tend to get antsy. They know that winter is coming and soon roads, parking lots and walkways will be white and slippery. The time is not far off when a normal night’s sleep will be a thing of the past.

Steve Hausrath, vice president of HauSrath’s Landscape Maintenance Inc. in Buffalo, N.Y., starts his snow season preparation in late July and early August by finalizing client contracts, preparing equipment and training the more than 80 employees and subcontractors on his snow-fighting staff.

Of particular importance, HauSrath said, is refreshing crews’ familiarity with the company’s roster of commercial snow removal clients. In September, HauSrath hosts training meetings to review snow response plans and conducts on-site inspections. “We take them around to all the jobsites to refresh their minds and so they can see the parking lot before it is completely white.

“Taking [staff] around saves a lot of aggravation and a lot of curb repairs,” he added. During fall walk-a-rounds, HauSrath and the company’s snow crews stake parking lots with wooden stakes to serve as guides when the snow falls and covers curbs and structural details.

Primed and ready

When winter arrives, snow contractors can’t afford to be caught off guard. “Because snow removal is so time sensitive, it’s critical to be ready at all times,” said Patrick Iwan, general manager at Kieger Enterprises Inc. in Hugo, Minn., a disaster response firm and general contractor that does snow and ice removal work.

An often-overlooked aspect of preparation, Iwan said, is knowing when to finalize snow contracts and refusing to accept new work. “We never overbook. In fact, we only route 75 percent of our crews and equipment. This allows us to handle large snowfalls and account for equipment breakdowns,” Iwan added.

Having adequate equipment is also vital. When the mercury drops to bone-chilling temperatures, machinery may not operate as it should (or even start up for that matter). Therefore, it is important to make sure every piece of equipment is up and running every day, so you know your equipment is ready before the storm arrives.

Being prepared also means having the appropriate inventory of anti-icing and deicing materials. Last year Kieger, used more than 15,000 tons of bulk deicing salt and more than 400 tons of sidewalk ice melter. Anticipating the volume of deicing material you’ll need and ordering early is
crucial so you won’t be left short of material in the middle of heavy snow season.

Equally important is making sure you’re prepared by having the appropriate staff and technology to handle customer communications.

“If there’s no one to answer the phone when our customers call, no matter what time it is, then we’re sending them the wrong message,” Iwan said. “Like any service business, we have to provide excellent services in a timely manner. When the snow is falling at 2 a.m., we need to be accessible.”

Being open 24 hours a day is one way Kieger remains accessible to its clients. “Although voice mail is growing in popularity and is a common business communication tool, it does not fit our business,” Iwan said. “If our customers call, no matter what hour, they will speak with someone in our office. We are staffed around the clock – no pre-recorded messages. We’ve found this gives our customers peace-of-mind, knowing we are always there, no matter the weather.”

Green light – go!

Nick DiBenedetto, president of ND Landscaping in Topsfield, Mass., ensures that each employee at his company is prepared for winter services through the use of systems and checklists. Each snowplowing employee is responsible for attaining “Green Light Readiness” by complying with a checklist from Nov. 15 through April 1. Being at “Green Light Readiness” ensures that each snow employee is armed with the proper equipment and materials to perform snow work and that the equipment is working appropriately. The checklist includes:

▶ Inspect plow
▶ Carry spare plow belt
▶ Carry a long handle ice scraper and a snow brush
▶ Carry shovels to perform hand sanding and snow removal
▶ Carry a tarp for crawling under trucks
▶ Keep jumper cables in trucks
▶ Carry first aid kit
▶ Perform preventive maintenance on trucks (this includes checking lights, keeping all trucks filled with fuel, checking fluids and carrying extra oil, automatic transmission fluid and radiator fluid.)

Green Light Readiness also includes checklists for stocking equipment used during a storm and trouble-shooting techniques for when machines aren’t working properly. Additionally, DiBenedetto specifies bullet points to review when hooking up a plow for the
upcoming snow season, and they include:

- Inspect pump fluid level
- Inspect belts for cracks
- Inspect plow frame bolts
- Check plow lights
- Inspect plow for broken parts (cutting edge, springs, pines, A-frame, chains, dirt in couplings, chaffed hoses)
- Align the center of the hood with center of plow frame
- Pull up slowly
- Get out and check alignment, put pins in center hole, hook up chains and hoses
- Inspect for leaking couplings
- Check to see if lifts and angles properly

“We get as specific as possible,” DiBenedetto explained. “This includes telling people to bring spare clothes because the odds are that at some point they will have to get under the truck to fix something and they don’t want to be soaking wet when they plow. And we even tell them the specific clothes they should bring.” Clothing requirements include extra pairs of long underwear, short and long-sleeve tee-shirts, a turtleneck, extra pair of pants, a sweatshirt and a form of face protection. In the truck, employees are also expected to keep a gym bag with two hats, two pairs of gloves, two pairs of boots, a thermos of hot fluids, snacks and a flashlight.

Fall training

Baseball teams train in spring. Snow contractors train in fall. At Chris James Landscaping (CJL) in Midland Park, N.J., the company conducts six to eight weeks of snow removal training during October and November. The training covers subjects such as snow blower safety, walkway ice control, wintertime driving, etc.

In November, the snow team participates in on-site meetings at each account, during which snow response plans are reviewed, the area is staked, and dos and don’ts are reviewed while walking around the account’s location. When the first storm of winter hits, no matter its depth or severity,
owner Chris James dispatches all his crews and subcontractors. “It’s not very cost effective, but it gets everybody back in the winter groove and it also allows us to get all the equipment out there and make sure it’s working.”

Each and every storm, the company prep’s all equipment (checks belts, hoses, proper operation, fluid levels, etc.) and reviews snowplowing tips and basics. A few of James’ key preparation tips include:

- Make sure each truck has first aid kits, jumper cables, fire extinguishers, two flairs, flashlight and snow and ice brushes for cleaning windows.
- Fill up on fuel before the storm, before 11 p.m. and before you go home for the night.
- Do not let the fuel level in loaders and trucks get below ¼ tank.
- Use dry gas in trucks and kerosene or antigel for diesel to prevent freezing.
- Keep salters filled with gas.
- Check tires, fluids and tire chains when you fill fuel.
- Get as much sleep as possible before a storm.
- Bring extra clothes, food and water with you.
- Read through snow response plans and snow removal deicing pages, so you know what to do ahead of time.
- Make sure you have raincoats on hand for staying dry.

**Winter driving**

Fall preparation is also an opportune time to review winter driving safety. James reviews the following bullet points with employees during fall preparation:

- Stay focused, aware and alert.
- Drive under control.
- Don’t assume other drivers will be in control. Use your seat belt.
- Know where cars and fixed objects are and remember this is always changing.
- Know what’s behind you before you back up.

**Conclusion**

Snow removal service is one of the most profitable segments of many contractors’ businesses. And for those professionals whose businesses are 100 percent dedicated to snow, winter is especially crucial. As a result, putting in the time to properly prepare for winter operations should be a top priority for the fall. You don’t want broken down equipment or ill-prepared crews cutting into your lucrative snow work and the resulting healthy profits.

A rborists spend a large portion of their workday aloft. Unfortunately, some place themselves at risk by working without being properly secured – if they are secured at all. As a result, arboriculture has one of the highest fatality rates of any profession – recording as many as 39.5 fatalities per 100,000 workers for 2003. This rate ranks us as the fifth worst industry classification. Based on the fatality data available from OSHA’s Web site, falls account for approximately 30 percent of the fatalities for the profession. (The data cover the years 1984-2002 for SIC 0783.)

The health effects from falls vary from instant fatality to permanent disability to no noticeable effect. An analysis of Bureau of Labor statistics indicates that most falls above 40 feet result in fatalities (Ball 2003). There are records of fatalities from falls as low as six feet. On the other hand, there are cases of falls from as high as 80 feet where the climber suffered only minor injuries and returned to work within a few months.

Some arborists are drawn to the profession because of a desire to work outdoors. Others are drawn because of the physical challenge and the opportunity for risk taking. Some seem to think that using PPE or following safety procedures is not macho, and some think that they are indestructible. There are those who would not refuse a job, no matter how dangerous, and will take chances just to maintain their reputation.

The economics of tree care

The economics of the industry really dictate the work organization. There is no standard rate that companies charge. In areas with fierce competition, prices are driven down and high production must be maintained to remain profitable. This can put incredible pressures on tree care production crews to complete jobs as quickly as possible. There are many opportunities for fall hazards, and speed increases the likelihood of a fall. The faster an arborist works, the greater the potential for a mistake to happen or a potential hazard to be overlooked.

Unlike other high angle disciplines, arboricultural companies do not usually charge a premium rate for the increased risk associated with working aloft. The combination of high costs and low return encourages some companies to cut corners. Safety and training are often neglected in order to focus on production and cash flow. This emphasis is usually relayed to the field worker through the production crew leader who pushes the workers to prune as many trees as they can during the day.

Regulatory structures

The profession is not regulated the same in all parts of the country. Some communities require licensing, or certification, but many do not. This lack of regulation means that landscapers, grass cutters, off-duty firefighters, etc., can all do tree work in many communities with little or no training or education. A great number of untrained, and often unqualified, people perform tree work. Many of these people will consistently offer the lowest bids, causing some qualified companies to lower their rates to stay in business.

The industry is in a unique position as it is a high-risk profession without a separate OSHA standard that covers it. Arboriculture workers are covered by a voluntary standard, ANSI Z133.1 One solution to lowering fatalities is education, industry-wide, about the ANSI Z133.1 standard. There also needs to be an increased effort on fair enforcement of
safety standards. Some OSHA compliance officers are aware of the Z133.1 and may cite it during inspections under the General Duty Clause of the OSHA Act. OSHA compliance officers need to be educated that the arboriculture profession should not be cited under the logging or construction standard (with few exceptions) and they should be using the current Z133.1 standard to guide their inspection. There should be a decrease in related accidents due to understanding and use of the standards. Insistence on safe work practices should help to discourage the risk-taking behavior that is currently so prevalent. The Z133.1 safety standard needs to be available and understood at the level of the field worker in order to be effective. It should be distributed to each employee in a language and format that they can comprehend the material. The Z133.1 should be part of all employee orientations.

National, regional, and local efforts should mandate that all work is done in accordance with all appropriate ANSI standards. States and local municipalities can require licensing in order to perform arboriculture-related work, ensuring use of all appropriate standards. This will force some of the smaller, lower-quality firms to either follow the safety standard or go out of business. The overall level of the profession would be brought up as the level of professionalism increases. As the low-bid firms either leave or become more professional, companies will be able to charge the rates that they should for the work performed.

All arborists should be provided with opportunities for training and education. The information that should be covered begins with safety, but should also include the equipment, tools and techniques that arborists would need to know to perform all pruning tasks. Education should include information about trees. Tree biology, physiology, anatomy, chemistry, structure, etc., all influence the potential for fall hazards. A new area of research in the arboriculture profession called tree dynamics is providing information that would also help decrease falls. This area looks at the forces involved in tree work and strengths of wood, trees and tree portions. This information should be disseminated to the field worker.

Conclusion
When a majority of the companies in the arboriculture profession are following the safety standard, the overall image of the profession will improve. Public education campaigns could also help the public understand that arboriculture work is highly technical and performed by skilled professionals. This will also make it easier for companies to charge what their services are worth. It should also make it easier for workers to feel more respected for what they do. Higher profit will decrease the need to rush through jobs to make a

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The primary standard that guides this profession is the American National Standards Institute’s Z133.1 standard for Arboricultural Operations – Pruning, Repairing, Maintaining, and Removing Trees, and Cutting Brush – Safety Requirements. The Z133.1 is a voluntary consensus standard. There is no OSHA standard specifically for the arboriculture profession. OSHA Compliance Officers will often cite the Z133.1 Standard under the General Duty Clause. There are some instances where arborists can fall under the logging or construction standard, but those are specific circumstances. In addition to the Z133.1 standard, the following have some impact on the fall hazard the arborists are exposed to:

- ANSI A1264.1 - 1989, Safety requirements for workplace floor and wall openings, stairs and railing systems.
- Cordage Institute specifications (not a standard but referenced initially because of the rope applications involved in arboriculture.)

Work Standards for Tree Care

Tim Walsh is graduate student working on his second master’s degree, in ergonomics, and his doctorate in ergonomics and safety, both from the University of Massachusetts-Lowell. He has been an arborist for 16 years, served two years as arborist for the Tree Care Industry Association, has owned and operated his own business, has worked and taught around the world and is currently working to provide opportunities for students of Arboriculture. Portions of this article were taken from papers used in an introductory course on the work environment.
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Did you know that TCIA has a nationwide referral service that directs consumers to your company? Each month – in mailings, press releases and faxes to more than 1,500 newspapers – our public relations team drives consumers to search for and demand the services of a TCIA member company.

TCIA’s Web site has a section dedicated to helping consumers find a professional arborist in the area. This section receives more than 125,000 hits per week. When consumers call our toll-free 800 number, your TCIA staff use this same search feature to locate member companies in their area. As a member, if you aren’t taking full advantage of this benefit you are missing out on referrals.

When your company becomes a member, the ZIP code listed on your membership application is automatically entered into the ZIP code search program on our Web site. (If you have a Post Office box and you would prefer your ZIP code associated with your physical address, please bring it to our attention).

Do you work in more than one ZIP code? Of course you do. How can you ensure these ZIP codes are also included when consumers visit our Web site in search of a company to hire? Make sure every ZIP code you work in is part of our referral database!

How does the consumer zip code service work? The consumer has a number of available on-line options. They can be very specific and key in the exact 5 digit zip code. This will pull up only the companies that match the requested zip code. If the consumer would like to expand or broaden the search to provide additional choices, the consumer need only enter the first 4 or 3 digits of their zip code. This will provide the consumer with an expanded listing.

Don’t limit yourself to just the town or city your office is located in. ENHANCE your visibility and EXPAND your customer base by allowing customers to find you at www.treecareindustry.org.

Employee reviews made easy!

The new Tree Care Company Business Guide for Employee Performance Reviews was developed by the TCIA Accreditation department. Included with the August Reporter and FREE to members, it is based on tree care industry best practices developed over many years at some of the most respected tree care companies and general practices recommended by human resource professionals. It has undergone a legal review by the law firm of Robert Sumner & Associates and was draft tested by a number of TCIA member tree care companies.

Labor and employment law specialists at reduced rate

TCIA inks agreement with a new Special Counsel

Any member who has paid attorneys to fight an OSHA citation or a labor law complaint knows that fees can add up fast. As a new member benefit, our TCIA legal firm for lobbying, Schmelter, Aptaker & Shepard, have offered to provide discounted rates to members. We have negotiated a deal that is good for both Active and Associate Members.

Now, you will have access to one of the best legal teams in Washington, particularly for labor and employment law issues, at a 10 percent discount for the first year and a 5 percent discount for each successive year. This firm already posts fees $50 below the going rate. (If the business volume becomes significant, higher discounts may be negotiated in the future.) We have negotiated a rate for TCIA members that is 10 percent below their normal fees.

In addition, as a service to our members through TCIA, Schmelter, Aptaker & Shepard will write articles for our publications focusing on the types of small issues you face and they will review our Business Management Guides at no charge. For more information, contact them at (202) 333-8800.
Coalitions of like-minded organizations can wield more influence than one association on its own. For this reason, TCIA recently joined the Small Business Legislative Council (SBLC), an independent coalition of trade and professional associations who share a common concern for the future of small business.

The purpose of SBLC is twofold: to consolidate the strength and maximize the influence of business on legislative and Federal policy issues of importance to the entire small business community; and secondly, to disseminate information on the impact of public policy on small business.

Because SBLC is concerned with the small business community as a whole, the issues on which the Council acts are those which affect all small businesses, including tree care companies. These matters include taxes, liability insurance, budget, employment issues, and the environment.

This list is potentially endless, and it is being expanded constantly as SBLC members discover that many of the problems of their members are shared by smaller businesses in other industries. Any issue of importance to the small businesses that make up the tree care industry is important to SBLC. By working individually through The Voice for Trees PAC and in coalitions through SBLC, we will be able to promote the interests of the membership more effectively in Washington.
Help Wanted


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Torre and Bruglio, Inc., Michigan’s largest landscape contractor, is seeking an individual to fill the position of Horticulture Services Manager. The HSC manager will have the responsibility of managing all aspects of ornamental pruning, turf and ornamental fertilizer and pesticide applications. Must possess the skill set and ability to diagnose and treat horticultural problems of turf and ornamental plant material. The candidate for this position must have strong time management skills and the ability to manage several projects simultaneously. The individual for this position must have the ability to motivate, train, engage and positively impact the assigned staff.

The ideal candidate for this position will have the following credentials and qualifications:

- A bachelor’s degree in Arboriculture, Forestry, Turf Management or other horticulture related field.
- ISA Certified Arborist.
- 5 or more years of management experience in the landscape industry or related field.
- Strong communication skills, especially in technical horticultural reports.
- Must have the ability to work effectively in a fast-paced, energetic environment.

Those interested should send resumes to the following address: Human Resources Department, Torre & Bruglio, Inc., 850 Featherstone, Pontiac, MI 48342. Or e-mail to marcia@torreandbruglio.com.

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Since 1996, communities in and around New York City, N.Y.; Chicago, Ill.; Jersey City, N.J., and Toronto, Canada, have lost thousands of trees to an unwelcome hitchhiker from China called the Asian longhorned beetle (ALB). Professional arborists and others who routinely have contact with trees are ideally suited to be part of the first line of defense in the battle to detect and eradicate this exceptionally dangerous tree pest.

The tree species preferred by the Asian longhorned beetle comprise nearly half the hardwood tree cover in the United States, and the continued spread of ALB could have enormous economic and environmental consequences. A study by USDA Forest Service researchers in 2001 concluded that the “potential national urban impact of *A. glabripennis* is a loss of 34.9 percent of total canopy cover, 30.3 percent of tree mortality (1.2 billion trees) and value loss of $669 billion.”

Most recently, in the late summer of 2004, more than 400 trees in Carteret, N.J., were found to be riddled with the uniquely round exit holes made by adult ALB as they emerge from trees beginning in the late spring or early summer.

The insect’s scientific name is *Anoplophora glabripennis*, and in China it is known as the ‘Starry Sky Beetle,’ because of the distinctive white markings on its large, glossy black body. On the North American continent, its long, curved antennae, similar in shape to the horns on some cattle species, have earned it the title of Asian longhorned beetle, or ALB.
ALB first arrived in the United States in solid wood packing materials from China, probably sometime in the last 15 years. Beginning in the early 1990s, regulatory officials made their first interceptions of the beetle at warehouses and other ports of entry across the country. In 1996, the first active infestation of ALB was discovered in Brooklyn, N.Y., and shortly thereafter on Long Island, N.Y. It has since been found in three of the five boroughs of New York City. Chicago was the site of the second known ALB infestation, in 1998, followed by Jersey City, N.J., in 2002, Toronto, Canada, in 2003 and Carteret/Woodbridge, N.J., in 2004. Quarantine and eradication programs are ongoing in each of these areas. ALB infestations have also been found on the European continent, first in Austria in 2001-02, and more recently in Germany.

In China, the beetle is a major threat to that country’s poplar trees, but in North America their main hosts are members of the maple family, followed by elm, birch, ash, willow and poplar. There is no “cure” for ALB once the insects have infested a tree. To prevent a spread of the beetle, affected trees are cut down, chipped and the chips burned. In the urban/suburban communities where the beetle has so far appeared in this country, tree loss has been high, creating a decline in the aesthetic and environmental benefits provided by mature trees. Tree replanting efforts are ongoing and focused on species resistant to the beetle, but these young trees will take many years to mature.

Early detection of the Asian longhorned beetle is critical in efforts to contain its spread. Since the main entry into this country has been in solid wood packing materials, the USDA issued a ruling in 1998 that wood packing materials from China or Hong Kong must be treated with preservatives, heat treated or fumigated before shipping to the United States.

But that does not address the problem of the beetles already in this country, or the human intervention that has spread current infestations beyond their original boundaries, and to satellite locations. The movement of infested firewood was responsible for the original Amityville, Long Island, infestation, USDA officials have determined, and the illegal movement of firewood and tree debris from other ALB quarantined areas has been the one major source of its spread in those areas as well. The movement of woody plant and tree debris has also caused the spread of other invasive insects, including the more aggressive emerald ash borer, which has killed close to 10 million trees in Michigan, and has now been found in Ohio and Indiana as well.

Christine Markham, the National ALB Program Coordinator for the USDA Animal Plant Health and Inspection Service (APHIS), says that the tree care industry has a vital role to play in preventing the artificial spread of ALB and other invasives. In the three states where ALB quarantines and eradication programs are in effect, she says, “tree care professionals that are working within the infested areas of these states must contact the federal and state authorities to receive a compliance agreement. This agreement stipulates the procedures that must be followed in the handling and processing of wood from quarantined areas. In addition, the tree care professionals can assist in the eradication efforts by looking for the ALB and reporting to the USDA any infested trees they find.”

The most recent discovery of ALB, Markham notes, was due to a report from an alert citizen. “USDA APHIS confirmed the discovery of ALB in Carteret, N.J., on August 4, 2004. A private resident of Carteret found an adult Asian longhorned beetle in his back yard, at the foot of his silver maple tree, while he was tending to yard work. He recalled seeing reports about the ALB from media coverage of the New York and Jersey City, N.J., infestations. The resident called Barry Emens, the USDA APHIS PPQ (Plant Protection and Quarantine) ALB director in New Jersey to report the find.” Markham says that the survey done as a result of that find turned up two infested maple street trees.

On August 17, says Markham, APHIS and the New Jersey Department of Agriculture held a media event to inform the Carteret community, and later received a phone from a property owner over one mile away who reported that ALB were infesting a silver maple on her property. “It turned out that this second site is actually the core of the ALB infestation,” she says. “About 400 infested trees have been detected to date.”

Once an infestation is confirmed, surveys are conducted within a predetermined radius of the known area. Visual inspection of trees is the only effective survey method. In some areas, contract tree climbers and bucket truck surveyors from tree care companies have helped conduct the surveys. Smokejumpers from the USDA Forest Service, brought in as tree climbers in the off season, have proven to
be an excellent resource for detecting ALB.

In New York, additional infested trees (about 47) have been found this year within the current quarantine area, specifically in Manhattan, Brooklyn and Queens. “All of the 2004 infested trees were found around previous infestations within the New York quarantine boundaries,” says Michael Bohne, a USDA Forest Service entomologist who is assigned to the New York Asian longhorned beetle program.

“These detections were made primarily on properties that program personnel have not been able to access to complete surveys,” notes Markham. Properties that are

Biology of the Asian longhorned beetle

Asian longhorned beetles attack primarily the trunks and branches of healthy and weakened hardwood trees. Most of the damage to trees occurs when larvae tunnel their way to the heartwood in the central part of the tree, where they feed, and when the adults – which are much larger – tunnel out. The exit holes can measure 3/8 to ½ inch in diameter.

In this country mature Asian longhorned beetles take about a year to develop from when a female first lays her eggs (one each) in small depressions known as egg niches that she hollows out in the bark of the tree. Each female may lay 30 to 90 eggs. Hatching within 10 to 15 days, the white larvae tunnel just beneath the bark in the cambium area. They feed in the cambium for several weeks before entering the xylem layer of the tree. There, the larvae continue to feed and develop during the winter. Larval tunneling often results in a lot of sap flow from entry holes in the trunk and larger branches of affected trees. ALB larvae pupate in the spring, before emerging as adults in early summer.

The emerging adults leave larger exit holes. Large amounts of sawdust-like frass may be found on the ground near tree trunks, or in the crotches of branches. Adults generally emerge from host trees between late June and the first hard frost. The adults are large, glossy and black, with irregular white spots on their wing covers. The long, curved antennae are striped white and black.

For positive identification of insect specimens or damage, please contact your local USDA-APHIS Plant Protection and Quarantine office or your State Department of Agriculture.
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difficult to access because of physical barriers, or because of difficulty in getting permission of property owners, “are a challenge to the program,” she says.

In addition to ongoing survey and tree removal, preventative treatments of currently healthy ALB host trees began in Chicago in 2000 and New York in 2001, using injections of the insecticide imidacloprid. Laboratory tests conducted in China and the United States showed that imidacloprid kills ALB that try to feed on the treated trees. Private tree care companies have been widely used as contractors in the treatment program.

In addition to treatment, survey and eradication programs, restoration programs are ongoing in communities affected by ALB. The USDA Forest Service has been instrumental in those efforts. “The Forest Service role is to provide assistance to communities and homeowners to deal with the loss of their trees,” says Noel Schneeberger, Forest Health Program Leader in the Northeastern Area office. “Funding from APHIS, administered by the Forest Service, has been available to help offset the cost of reestablishing a tree canopy in the affected communities.”

The discovery of ALB in Chicago in 1998 is proof of the role green industry professionals, private and public, can play in the detection of ALB. In July of that year, Skokie Park District worker Barry Albach accepted some firewood from a fellow worker just before the July 4 holiday weekend. He put the wood in the back of his closed bed pickup, and few days later found unfamiliar beetles flying around inside.

In a 2003 interview for a case study of the Chicago Asian longhorned beetle program, Albach described his reaction: “I’ve seen lots of bugs but I never saw this one before, so I did an Internet search and punched ‘beetle’ into Yahoo search engine.” The first hit to show up, he said, was a picture of the Asian Longhorned Beetle, along with a pest alert. “It still didn’t dawn on me that it was that serious but as I read further it said to call the Department of Agriculture. They were a little skeptical of me, but as we talked further about what I found, they were prompted to come out and take a look at it for themselves and that brought us to where we are today.”

The tree care industry can play a vital role in the continued health of our tree resources. “Throughout the United States, tree care professionals are part of the first line of defense against ALB and other exotic insects and diseases that potentially can enter and become established in the US,” says Christine Markham. “Early detection is critical to successful eradication of exotic species.”

For more information and ALB resources, visit www.na.fs.fed.us/spfo/alb/index.htm or www.aphis.usda.gov/lpa/issues/alb/index.html.


2 “Chicago vs. the Asian Longhorned Beetle: A Portrait of Success,” by Judy Antipin and Thomas E. Dilley, is due to be released in October of 2004.

Judy Antipin is a Public Affairs Specialist on the staff of the Forest Health Unit, Northeastern Area, USDA Forest Service, in Newtown Square, Pa.
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Aesthetic pesticide uses include lawn and garden treatments. Most states have enacted laws that preclude municipalities from restricting private-sector pesticide uses that are otherwise allowed by state agencies.

But that hasn’t kept U.S. towns from trying to emulate the rapidly expanding pesticide restrictions being enacted at the local level in Canada. As Sue Riedeman, coordinator of the Connecticut Grassroots Coalition, said, “we’re inspired by the by-laws adopted by Halifax and the town of Hudson” in Canada.

**Inspiration from Canada**

The Coalition, along with the Ecological Health Organization, is gathering signatures for a petition in support of a statewide ban of aesthetic pesticide uses. The groups point out that it was a similar petition drive in Quebec that led Hudson to adopt the first of the Canadian bans.

Riedeman explained that “we don’t expect to have enough signatures overnight. But when we do, we’ll present the petition to state lawmakers and ask them to sponsor legislation banning aesthetic pesticide uses. It’s an ongoing process, like the movement against smoking in restaurants.”

So far, the Coalition has about 1,500 signatures. Meanwhile, another Connecticut coalition – this one called Help End Lawn Care Pesticide Use (HELP) – has succeeded in persuading lawmakers to introduce legislation (House Bill 5236) that would ban the sale of lawn and garden pesticides in any facility that also sells food products.

According to Nancy Alderman, president of Environment & Human Health, Inc. – which worked with HELP on the newly proposed bill – the Grassroots petition drive “shows that there’s a rising groundswell of support to ban cosmetic pesticide uses. I think we all know that agricultural pesticides are evaluated in terms of risks and benefits to the food supply. But that’s very different from looking at the risks and benefits of treating private lawns.”

**Industry fights back**

Dick Tice, director of the Environmental Industry Council (EIC) and executive director of the Connecticut Grounds Keepers Association, says that efforts to preserve aesthetic pesticide uses require close cooperation among industry groups.

“They’ve been trying to repeal pre-emption [at the state level] forever.” Tice said, “and they’ve been trying to enact the bans just as persistently. There was one bill they had that would’ve banned the use of pesticides on any property abutting Long Island Sound. I heard about that one at nine o’clock in the evening and we managed to block it in the middle of the night.”

But, in other states, Tice said, “you might have five or six associations that don’t agree with each other on anything. Or some of them might have their heads in the sand. Our members are fortunate that Connecticut is a small state. We work together, we stay up on legislative issues, and we talk to the legislators to tell them the facts.”

The EIC was founded,” Tice continued, “when there was an effort afoot to ban the use of 2,4-D, and the attempt was expanded to include all pesticides. We brought together lawn care companies, pest control operators, grounds keepers, arborists – everyone who would be affected – to guard against bills like that. We also look for common ground, when it’s possible. We met with the Clean Water Coalition when they were pushing for an onerous notification bill, and we worked out a way to eliminate the big, yellow, 72-hour pre-notification signs.”

**State pre-emption laws**

In 2002, Fairfax, Calif., ignored appeals for a compromise and passed an ordinance restricting the use of pesticides on private property – thereby flouting a state pre-emption law. In response to the ordinance, the state Department of Pesticide...
Regulation assured Fairfax and nearby applicators that the regulations were “null and void,” and that they couldn’t be fined for treating private properties.

So far, 40 states have enacted pre-emption laws that prohibit municipalities from regulating pesticides more restrictively than the appropriate state lead agency. (In Delaware, which doesn’t have a pesticide pre-emption law, the attorney general has issued an opinion to the same effect.) The laws apply only to the regulation of pesticides used on private property, and “they help ensure that we don’t have 80,000 variants of state and federal pesticide regulations,” says Frank Gasperini, director of State Issues for Responsible Industry for a Sound Environment (RISE), referring to the number of municipal jurisdictions in the United States.

In Canada, industry groups have appealed municipal pesticide restrictions by arguing, among other things, that the restrictions are pre-empted by provincial laws known as Cities and Towns Acts. Those appeals — one of which reached the Canadian Supreme Court — have all failed. In the United States, a 1991 Supreme Court decision (Wisconsin Public Intervenor v. Mortier) held that FIFRA doesn’t explicitly or implicitly preclude municipalities from regulating pesticides — and that sparked a lobbying effort to pre-empt the regulations with state laws.”

It took a huge, five-year campaign to enact them,” Gasperini said. “They were backed by RISE, the [then-named] American Crop Protection Association and various state and local associations. State agricultural groups supported them, too. But I’m not sure we could pass all those laws if we tried to do it now because the states have become more reluctant to claim primacy over cities.”

Response to pre-emption

Megan Kemple, public education coordinator for the Northwest Coalition for Alternatives to Pesticides, says the pre-emption laws are leading some municipalities “to start their drives against aesthetic pesticide use by targeting phase-outs of pesticide use on public property. People are ready for it. I think people are more aware that pesticides are harmful to their health and the environment, and they feel encouraged that they can make changes in their own communities. They’re asking us for models of private-use restrictions, and they’re concerned about pre-emption laws standing in their way.”

Laura Haight, a senior environmental associate with the New York Public Interest Research Group, says “it’s unfair and wrong that pre-emption laws tie the hands of the public. We need to amend those laws.”

Haight argues that that recent EPA reregistration decisions underscore the need to surmount pre-emption and protect homeowners from toxic exposures. “Chlorpyrifos was on the market for 30 years and due to [Food Quality Protection Act amendments to FIFRA], and the mounting body of evidence that proved it wasn’t safe, EPA removed it. It’s not as if it was suddenly unsafe. It was unsafe for the past 30 years.”

As we learn more about pesticides we become more aware of their risks,” Haight continued, “but it requires a campaign to persuade the federal government to ban them.”

New York bills

Consequently, Haight says, New York legislators have introduced numerous bills to allow local regulation, and require notification, of aesthetic pesticide use. They include:

- **S. 3629**, from Suzi Oppenheimer (D-Westchester County), which would allow local governments to regulate pesticide uses more restrictively than the state. “Thus,” says the sponsor’s memo, “if a State law were deemed insufficient in its protection of the health and safety of a certain group of people, the municipality would have the power to enact legislation providing for greater protection of these citizens and their surrounding environment.”

- **HB. 3964**, from Steve Englebright (D-Suffolk County), which would allow local governments to regulate all pesticide uses, including agricultural uses, more restrictively than the state.
HB. 1871, from Fred Thiele (R-Suffolk County), which would allow any Long Island municipality to petition the Department of Environmental Conservation for permission to regulate aesthetic pesticide uses in areas with vulnerable groundwater, and require the DEC to develop a model law.

Support for bans questioned

RISE President Allen James questions the level of popular support ascribed to the bills proposed in New York and elsewhere. “We don’t think there’s much,” he told Insider. “Activists represent only a very small percentage of the population but they speak with a very loud voice.”

“They’ve discovered,” James continued, “that they can get a much more receptive response at the municipal level. They speak as though they represent the people, but they don’t. Some of them are zealots and ‘true believers’ who don’t think science is important, and would keep on fighting for a ban even if it were defeated 10,000-to-2 in a referendum. Other activists are interested in ‘causes,’ and if their ‘causes’ fail they find another one.”

Activists, Gasperini noted, “claim we’re unwilling to address or acknowledge safety issues, but we fully support the Precautionary Principle as adopted by the 1992 U.N. conference in Rio. The Rio Declaration said, ‘Lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation.’ Activists have deleted a consideration of benefits in their definition of the principle because they don’t want a scientific debate.”

Treating outdoor sites “eliminates public health pests and healthy lawns prevent erosion and support a complex, organic microenvironment,” Gasperini added. “But you won’t ever hear those benefits, and others, acknowledged by the people demanding the bans.”

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From the Field

Chip Off the Old Block

By Philip J. Santoli

My daughter came to work with me the other day; not because it was Bring Your Daughter to Work Day, but because I was shorthanded. My work force was reduced to half due to overtime at their regular jobs with the local school system (they work part-time with me because that is what it takes to survive here on Long Island).

It was a relatively easy job removing shrubs (47 of them in all); I needed a hand to drag brush from the backyard to the chipper, none of the usual tree climbing or heavy roping. The customer was surprised to see a young woman on the job and not at the beach. Push came to shove and she jumped right in next to me, pulling branches, doing clean-up – whatever it took.

On the way home I had to think back to her mother who, when she was a stay-at-home mom, would drive my pick-up to get supplies with an infant and a toddler strapped in their car seats. As the business grew, I got a bigger truck and my wife went to get her Commercial Driver’s License so she could continue picking up material. I took her for her driving test and who should be giving the test but another woman. What a sight to see a young woman on the job and not at the beach. Push came to shove and she jumped right in next to me, pulling branches, doing clean-up – whatever it took.

Although my wife no longer works with me, she keeps her CDL up to date; I guess it is a symbol of a barrier overcome. And although it doesn’t appear on her resume along with program officer and office manager, it does turn heads in conversation. We also encourage our daughters to continue their education, which they seem to be following, although it doesn’t appear on her resume. She passed the test, the test giver turned to her and said, “just think, a few years ago neither of us would be here.”

As the kids got older my wife would help on the job, moving wheelbarrows, shoveling dirt, sweeping, raking – as she put it, “nothing I wouldn’t be doing at home in my garden.” Male customers were always surprised to see a woman, and the women homeowners typically had that “You go, girl” smirk on their face.

My wife and I raised our daughters by encouraging them that they could do anything they wanted to, not to let conventional wisdom guide their career paths. And I would like to think that the youngest wanted to be more involved with me and my business, but I know she had a gap in her schedule the other day – her boyfriend was busy for a few hours, there was no school work to do, no dance classes to teach and, most of all, she needed the money. Nonetheless, I am pleased that my daughters are not afraid of getting dirty.

This summer my wife plans to attend an all-women Habitat for Humanity house-building, and I am sure my daughters are planning to go – with their own hammers. It should not be a shock to anyone that each girl in her teens requested and received Makita cordless drills and assorted hand-tools of their own. Any dad would be proud, but I know they are following mom’s lead again; her tool bag carries a small array of hand tools and says “Snap-On” on it. It rides in the back of her SUV. Several times she has relied on the tools to hang shelves and free jammed printers at work. It is a bonus that she is also demonstrating that she doesn’t rely on men.

Just the other day, my youngest came home from her boyfriend’s where she witnessed some landscapers next door trying to trim a couple of trees with their crash-and-break method. To my surprise, she couldn’t wait to tell me how they had the ropes set wrong. I was proud she knew better. She attempted to interject, but they didn’t listen; they had that “what could this young girl possibly know” attitude. I know to listen – women today just might surprise you.

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