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Every employer wants a team that is excited to come to work, takes pride in their jobs, is engaged in the company’s mission, and represents the business well with clients.

What do you do, then, if your worst employees are the happy ones and your best employees are looking for jobs with other organizations? A recent study by Leadership IQ found that many companies are experiencing just this sort of dynamic, with negative consequences for sales, profits and employee retention.

The study surveyed employee attitudes then matched their answers with their most recent performance evaluations that rated employees as high, middle or low performers. The study highlighted six questions from the survey:

1. I am motivated to give 100 percent effort when I’m at work.
2. I recommend this company as a great organization to work for.
3. Leadership holds people accountable for their performance.
4. My direct supervisor recognizes my accomplishments with praise.
5. Success in my career is dependent on my personal actions, not the actions or choices of others.
6. The employees at this company all live up to the same standards.

The study uncovered some interesting findings. Among them:

• Low performers are more likely to recommend their company as “a great place to work.” Why? It turns out low performers don’t work that hard and don’t stress much about it, so why not recommend it to others as a great place to work?
• Low performers think they are great employees, even if others don’t.

The most troubling part of the study for small tree care companies is that your best employees don’t like working with low performers. A different Leadership IQ study revealed that for “87 percent of employees, working with a low performer made them want to change jobs. And 93 percent said that working with low performers decreased their own productivity.”

The bottom line for your bottom line is that low performers can bring down the entire team, especially if they aren’t held accountable. When employees see others getting away with poor work, they get discouraged. The ones who get the most discouraged are your very best employees (who have to correct or make up for the poor work of others.)

Spreading low enthusiasm affects company retention, and it can also harm your recruiting efforts. Arboriculture is a small world where employees talk. Who wants to go to work for a company that coddles poor performers and takes high achievers for granted? (The answer: More poor performers.)

Are your best people convinced that your company is a great place to work? If not, they’re probably looking for a new place to work.

Do you praise your best employees for their work, or has it become expected of them because of their past performance?

If you keep losing your best employees to the competition and you keep poor employees around without demanding better performance, your company will continue to suffer. Send a positive message to your best employees and let low performers – and everyone around them – understand that that the free ride is over. All of your employees, your clients and your business will be better off for it.

Mark Garvin
Publisher
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ON THE COVER: J. David Driver, “the Xman,” president of Xtreme Arborist Supply Inc. and of 13-year TCIA member Arbor-X, Inc., of Bel Air, Maryland, descends at the end of day 1 of a Eucalyptus removal. Courtesy of J. David Driver.

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<table>
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<tr>
<th>Model Number</th>
<th>Operating Weight</th>
<th>Width</th>
<th>Height</th>
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By Rick Howland

In the tree care business, collecting green waste for recycling is easy. Finding a market for it is often not as easy. But we found a number of TCIA members who are managing to find outlets for it and teaming up to improve their options for making it pay.

It was a little more than a decade ago that those parts of a tree you used to pay to get rid of started to turn profitable. In that time, some tree care professionals have developed profit centers where they have found markets for their green waste as mulch or fuel.

Others have been content to focus more on the company mission of caring for trees while improving the bottom line by giving it away or otherwise greatly diminishing the cost of disposal. Either way, they have found the true definition of investment: that is to purchase equipment or employ a process that helps make or save money.

A few years back, as the price of fuel for home heating, gasoline and industrial use skyrocketed, the darling of the waste market was fuel products, such as pelletized wood or raw chips that could feed furnaces and heating stoves. As fuel prices fell, demand for these renewable, fuel-related products, called biomass or biofuel, fell off. Fortunately, at the same time, the demand for mulch took over.

But biomass is not a dead market. It is merely in flux. Take for example, groups like the Northeast Biomass Thermal Working Group, a coalition of biomass thermal advocates committed to working together to advance the use of biomass for heating and combined heat and power in the northeastern United States. The group’s mission is to explore and promote solid and liquid biomass products for heating, clean energy from biomass products, and thermal tax credits. As recently as early April 2012, experts in the field met at Saratoga Springs, New York, for the annual Northeast Biomass Heating Expo & Conference to discuss everything from engineering challenges in pellet and wood chip boilers to storage and transport to government policy.

Also in March, Kentucky signed into law a bill making it more attractive for utilities to use biomass products. The Maryland-based Alliance for Green Heat reported in March as well that a third of wood stoves sold in the U.S. are now of the pellet variety, up from 11 percent of the market in 1999.

The list goes on. Despite its ups and downs, biomass is here to stay.

The other major product derived from tree debris is compost and, to a larger extent, mulch, much of it colorized. Mulch right now is a hot commodity nationwide. The allure of wood mulch, especially, is that not only does it keep down weeds and improve soil moisture retention, local mulch adds local nutrients back into the soil, which aids in the healthy growth of indigenous vegetation. The fact that mulch can be made of different tree materials, and can be ground, aged and colorized in different ways, makes the product very attractive to homeowners and landscape operators exploring custom exterior design.
looks.

The bottom line to all of this is that there are solid, existing and growing markets for what used to be trash and used to cost money to dispose of.

Reducing disposal costs

One does not have to be a big player to make or save money on the disposal of green waste. Sometimes cooperation is the key. Take, for example, the story of St. Croix Tree Service, Inc., an accredited TCIA member with offices in Roberts, Wisconsin, and Hopkins, Minnesota, and which has been in business for nearly four decades.

“Tree waste used to be a major expense,” says Dennis Ullom, company president. “In some years we spent over $100,000 on wood waste tipping fees. Grinding on our site and selling mulch was a very big cost.”

Tree waste ceased to be a cost for St. Croix several years ago when two markets emerged almost simultaneously. First, a biomass burner started up in St. Paul. “We now had a spot for our waste wood,” Ullom says. “We have a 20-acre site where we take green waste and create windrows, pulling out larger logs for sale. Because of the nature of our business, most of our wood arrives in long lengths. We use rear-mounted log loaders with 35-yard boxes to haul it intact in 20-foot sections after trimming the limbs,” Ullom explains.

“We sell the larger lengths for firewood, perhaps a couple of thousand cords, but this is a small market,” he says, adding that, “District Energy initially came in and took the rest at no cost. That was us huge. That $100,000 disposal bill instantly became no cost other than to maintain that 20-acre site.”

“Then the mulch market emerged starting five to seven years ago,” Ullom says. “People started using it, especially colored mulch. Now we had two competing uses for our waste – mulch and firewood.”

“We looked at the capital investment costs of processing. Since we do full-service tree care and planting, we needed to decide about entering the mulch market. It was a matter of buying mulch equipment or tree spades.”

Ullom says the company opted not to make the capital investment in processing equipment and keep to its main business mission. They do have an association with a re-grinder who will grind for St. Croix and also purchase raw material. Over the last 15 years, Ullom says, he has seen mulch grow into a small profit center. Because of that, nothing goes to the District Energy coop any longer for biomass burning. The re-grinder, actually a competitor of St. Croix, “…pays us for finished product he produces, about 50 cents per yard,” Ullom notes, “The high point was as much as $1 a yard.”

Any way he looks at it, he’s not only saved $100,000 a year in disposal costs and avoided a capital expenditure by working with another company to make mulch, St. Croix now also makes a small profit.

Investing and partnerships

At Downey Trees, Inc., an accredited TCIA member company headquartered in Cumming, Georgia, the slogan is, “We were green before being green was cool.”
Matt Martin, green waste manager, says Downey began recycling green waste into salable products in 1997, just at the start of the phenomenon. “Then, we were using a small horizontal grinder and recycling about 30,000 cubic yards a year. Today, it’s about 400,000 cubic yards.” Martin confirms that the company has recycled enough green waste product to fill the Georgia Dome (in Atlanta, home of the NFL’s Atlanta Falcons) five times over.

All of Downey’s waste debris, and subsequently that supplied to them by landscape and tree companies in and around the mid-Georgia area, is recycled and turned into useable products such as wood fuel used by power plants, decorative wood mulches and quality planting compost mixes.

Martin says green waste, that is grass clippings, shrubbery and the tops and branches from tree care, pretty much becomes compost or biofuel.

“The Green Waste Recycling division collects its own material as well as unwanted plant, pruning and leaf material from regional landscape and tree companies. We process it into usable end-products,” says Martin, who manages that division. He added that, with four 45-yard grapple trucks, nine road tractors with 15 trailers and a host of heavy support equipment, this division is capable of handling virtually any grinding, recycling or clearing project.

The larger wood waste from tree care operations becomes decorative mulches. The company does not process the burnable green waste biofuel into pellets. Martin says biofuel is purchased in raw form by different plants, such as Georgia Power, to make steam that turns turbines to make power for the electrical grid. The unprocessed green waste also goes to paper manufacturers. Local paper plants need the steam for paper production as well as generating electrical power, he explains.

The only product Downey does not accept is stumps, which introduce dirt into the end product.

“Debris produced by other companies can either be collected from a designated site and brought back to our facility for separating and processing or we can transport our horizontal grinder to the customer’s site and process the material there,” Martin says. He explains that Downey gets paid to receive materials at its sites and a higher cost if the company goes to the worksite to pick it up.

Martin continues, “We do partner with large landscape companies in Atlanta. Most of them order a load of our mulch, and when we make the delivery, we usually pick up green waste and tree debris, and they pay a discount rate.”

“Most tree companies want us to take their green waste, and their cost is cut slightly if they come to us,” he adds. While it does cost for the tree care company to be rid of its tree waste via Downey, it presents a cost savings in two ways. According to Martin, the rate Downey charges is better
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than that of a landfill, and the Downey way saves the tree care company labor costs, especially if they pick up at the job site, and it also saves in capital outlay, for example, chippers, grinders and trucks.

“Right now, we cannot make enough mulch, the demand is so strong,” Martin says, “so we are not sending much material for biofuels. However, when mulch demand falls off in the winter, chips we might use for other products are sent out for bio fuels. It keeps the business rolling evenly all year long.”

The co-op route

Michael Zimmerman, president of accredited TCIA member Zimmerman Tree Service in Lake Worth, Florida, is part of a new state-wide biomass agricultural co-op in Florida. The purpose of the co-op is two-fold: first is to pool resources for the manufacture of pellet fuel for the European market, which actively promotes clean burning pellet fuel; second is for economies of scale, such as favorable group pricing on goods and services, reduced or eliminated disposal fees, and the possible sharing of one or more profit streams.

In business for more than three decades in the Palm Beach County area, Zimmerman Tree focuses on tree care – pruning, transplanting, spraying and fertilization programs, and consulting.

“The mulch we produce in Florida is not marketable because the material we generate on a daily basis is largely from palms, which do not make good mulch,” says Zimmerman. “There is some hardwood but not to the extent that commercial tree care companies generate in other parts of country. The mix just does not lend itself to my company selling or even utilizing it for landscaping.”

Zimmerman notes that the issue is compounded by environmental concerns regarding landfills and solid waste. “Our solid waste authority in the county is trying to do recycling and composting, but unfortunately our material is not desirable for composting,” Zimmerman explains. “In Europe where people are concerned about the environmental impact of a large carbon footprint and pollution, we see an opportunity to convert waste to energy products already approved by European governments. We are excited about the opportunity.”

“I was approached to get involved in a co-op here in Florida. The thrust is to ultimately take biomass and put it through a process to pelletize it to sell to the European market energy. We are also able to use material that is not optimal as a fuel to make a bio-organic fertilizer high in potassium and nitrogen.”

“In addition there are other benefits of co-op membership that are beginning to show results, such as bulk purchase agreements for uniforms, health care, machinery and vehicles.”

Michael Zimmerman

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funding. “Independently, companies are really too small to have much of an impact,” Disbrow says, noting that aggregating and guaranteeing feed stock (biomass) levels makes the idea viable. “Instead of independently producing up to 10 tons of material, the co-op can aggregate 1 million tons initially and ultimately 20 million tons or more. At about 200 members, we envision the SSBC as a billion dollar business, with each member being an equal partner.”

Based on the concept and success of the co-op thus far, Disbrow has started talking with businesses and governments in other states, such as Georgia, to duplicate the business model. (For more information on the co-op, visit www/sunshinestatebiomass.com.)

Become a clearing house

Opportunity is everywhere and takes many forms, according to Sean Hunt, vice president, chief financial officer and certified arborist for Michael’s Tree and Loader Service, a TCIA member headquartered in Memphis, Tennessee.

Hunt says the company’s core business is tree care and hauling/disposal of tree materials. That includes not only managing material generated by Michael’s but also that of companies that contract with Michael’s to dispose of their waste. This year the business model includes a major mulch-making undertaking.

“In Memphis, we got tired of paying to dump at landfills, and we opened our own yard where we grind material and sell it for compost, mulch and soil conditioners,” he says. “We saw the opportunity for cost savings and ultimately for profit and opened a large mulch facility. This will be our first full season selling mulch and we expect to be profitable.”

As far as taking in and managing material from others, companies that contract with Michael’s are as far-flung as Texas, Florida and New York. In fact, during cleanup of last fall’s Super Storm Sandy, Michael’s was contracted to manage dumpsites and haul out damaged and fallen trees.

“We had a hard time getting rid of the vegetation. We were working with a contractor to get rid of the material, much of which was used by mulch companies. Once they ran out of room, we got it shipped by barge to Pennsylvania,” Hunt explains. “During the cleanup we administered debris disposal, debris reduction and hauling programs, managing all data for the municipalities involved.” Put another way, Michael’s made a business from tree work and from contract administration.

Although storm work varies from season to season, Hunt says 2012 storm work accounted for about 85 percent of Michael’s business.

The lesson to be learned from all these companies is that it’s OK to think outside the chip box. Collaboration, even with competitors, is not a dirty word. Working together can save money on, or make money from, tree waste, and new markets or new ways to approach existing markets are springing up all the time.
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Morbark’s first Boxer loader comes off the line

Amidst much excitement and fanfare, the first Boxer compact utility loader rolled off the Morbark, Inc., production line in March. Morbark acquired Boxer Equipment at the end of 2012. Morbark’s staff gathered to watch as the first Boxer unit completed at the Morbark factory in Winn, Michigan, a model 320 compact loader, was unveiled with a boxing-themed introduction.

“It’s been an amazing journey and a real testament to the teamwork and dedication of our staff,” said Jim Shoemaker, Jr., Morbark president.

“In the 84 days since we received the intellectual property, we have moved inventory from Oklahoma to Michigan, invested in additional long-lead inventory, set up aftermarket parts and service sup-

port for existing Boxer customers, created a production line – including weld and assembly fixtures – created marketing material, completed our first dealer training sessions, and today, completed the production of our first unit. A lot of people played a role in making this a reality. In fact, I sat down and started listing the Morbark employees who have played a role in helping with the Boxer acquisition and production line, and I stopped counting at 50. It was truly amazing how many of the team came together to pull this off.”

In June, Morbark is scheduled to reach its full production capacity.

Vermeer leadership changes

Vermeer’s Jason Andringa has been named president, forage and environmental solutions. He will co-chair the Vermeer executive team, along with Doug Hundt, president of underground and specialty excavation solutions, both reporting to Mary Andringa in her continuing role as chief executive officer of Vermeer. In addition, Tony Briggs has been named to vice president, sales and distribution.

Jason Andringa has been with Vermeer since June 2005, most recently as vice president with responsibility over distribution and global accounts. As president, he will have oversight of the forage and environmental segments, building visibility to biomass, as well as industrial distribution and corporate engineering.

Kong S.p.A. establishes U.S. distribution center

Kong S.p.A. of Monte Marenzo, Italy, has established a North American distribution center in Bristol, Rhode Island, in an effort to better serve its American customers. This new distribution center, Kong-USA, is a TCIA associate member and a member of the Society of Professional Rope Access Technicians, based in Wayne, Pennsylvania.

Kong S.p.A. is a designer and manufacturer of climbing and high angle/technical rescue equipment. All of Kong’s products are CE and UIAA certified. A growing number of Kong’s connectors are also certified to the ANSI Z359.12 (2012) and/or the NFPA 1983 (2009) standard.

Palfinger now rooted in Ohio

Palfinger, a truck equipment manufacturer and a TCIA associate member, recently grounded its roots in Tiffin, Ohio, by purchasing the property and building it occupies there. Tiffin Loader Crane began selling and installing knuckle boom cranes in 1985 and has become a leading Palfinger installation and distribution center. The Tiffin location also serves as a manufacturing site for the new Palfinger GT brand of truck-mounted forklifts.

Palfinger North America also recently appointed Scezzi Enterprises, Inc., with locations in Fresno and Azusa, California, as a dealer for truck-mounted cranes in the state of California. Assembled in Niagara Falls, Ontario, the Palfinger products being represented by Scezzi include the short-line product range of cranes.

“We are very pleased to be associated with Scezzi Enterprises, as they have clearly exhibited a long-term commitment and success within their established trade area,” said Jon Williams, Western sales manager.
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Stihl’s new MS 461 chain saw is an all-around professional saw. This durable saw features high torque over a broad RPM range to deliver professional performance. With the same power and weight as the MS 460, it offers up to 20 percent less fuel consumption, meaning reduced time spent re-fueling and less money on fuel. The heavy duty HD-2 filter element provides longer run times between air filter maintenance. A decompression valve vents compression in the cylinder for easier starting, and the ElastoStart with built-in shock absorber reduces effort when pulling the starter cord. An adjustable automatic bar and chain oiler adjusts the lubricant of the guide bar and saw chain, and Stihl’s IntelliCarb compensating carburetor automatically adjusts the air/fuel ratio when the air filter becomes restricted or partially clogged, maintaining correct RPM. A side-access chain tensioner makes it more convenient to adjust the chain saw with a bar wrench. The MS 461 VW has a heated handle and carburetor to prevent icing in cold weather, and the MS 461 R has a wrap handle, designed for use in all positions for felling and limbing with the right hand.

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**DayLube nanoceramic grease**

Dayton Progress Inc.’s new DayLube high performance grease uses nanoceramic particles that act as sub-microscopic ball bearings to provide continuous lubrication to steel surfaces found on heavy equipment such as loaders, dump trucks, excavators, skidders and grinders. With a lower coefficient of friction at all temperatures than traditional PTFE greases, chemically inert DayLube is also environmentally friendly. It maintains its viscosity across the full temperature range and does not soften or run out. DayLube operates in temperature ranges from -40 F to 800 F and the nanoceramic particles remain intact to 2500 F. DayLube has high load-bearing properties, a low dielectric constant, does not contain metal or silicone and is resistant to steam, acids and most chemical products. It is available in 16-ounce tubes and 16-ounce jars, gallon and 5-gallon containers.

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**Forway mini articulated loader from All Access**

All Access Equipment of Wilmington, Massachusetts, is now offering the complete line of Forway mini articulated loaders, including the turf friendly WL25. These quality loaders include Perkins diesel engines and Sauer Danfoss hydraulics, which are compliant with U.S. safety standards. The WL25 offers a solution for forwarding brush and logs from the backyard to the front yard. It is designed to fit through a single gate at only 35⅞ inches wide. Four wheel drive, turf tires and articulation allow all units to drive over turf without causing damage, with the ability to lift 1,800 pounds. Universal connection plates, including hydraulic connections, increase the usefulness with hundreds of available implements. Modern, single joystick controls make it easy to operate. All Access is promoting the WL25 as “an excellent value at a cost of only $24,900, including a grapple or bucket.”

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Contact: www.wcisa.net; (866) 785-8960

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www.utahurbanforest.org

May 17-18, 2013
2013 Northeastern Forest Products Equipment Expo
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June 5, 2013
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Contact: Crystal.Thomas@h-gac.com; (713)-993-4577; www.h-gac.com

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August 3-7, 2013*
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November 14-16, 2013*
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Pre-conference workshops Nov. 13
Charlotte, NC
Contact: 1-800-733-2622; sboutin@tcia.org

* Indicates that TCIA staff will be in attendance

What’s coming in TCI Magazine

Each issue of TCI Magazine contains a variety of articles tailored to the specific needs, concerns and interests arborists. TCI solicits a number of articles from outside writers to keep its editorial content fresh.

Do you have a story for TCI? The editor will be happy to review your idea or manuscript and discuss it with you. Here are some of the upcoming topics for the next two issues:

June
- Machinery & Equipment:
  - Cranes, Attachments/Grapples
- Tools & Supplies:
  - Biological Herbicides/Pesticides
- Services:
  - Consulting
- Safety:
  - Climbing Safety

July
- Machinery & Equipment:
  - Stump Grinders
- Tools & Supplies:
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- Services:
  - Standards & Compliance
- Safety:
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Did you ever have the feeling that the onslaught of invasive pests of our trees and shrubs has increased dramatically over the past few years? I was a firm believer in this notion until I made the mistake of delving into the literature surrounding invasion biology.

An important paper by Aukema et al. (2010) demonstrated that the rate of introduction of non-native forest insect pests has remained relatively constant in the United States for a period of almost 150 years. Since about 1860, we have endured a steady accumulation of non-native insect pests at the rate 2.4 to 3.0 species per year (Aukema et al. 2010). One bright spot in this otherwise gloomy picture is the fact that high-impact insects and diseases are accumulating at a much lower rate, only about 0.4 new species per year. These high impact pests cause tree mortality, thinning and dieback of canopy, growth and reproductive loss, or other negative ecological or aesthetic effects.

Since the first known exotic pest, codling moth, was introduced in the 1600s, wave after wave of insects have arrived including beetles, scale insects, and aphids. Between 1800 and 1930, devastating phloem feeders and borers accounted for only 11 percent of all detections. However, this trend has recently reversed and between 1980 and 2006, 56 percent of new detections are represented by these highly destructive and lethal guilds (Aukema et al. 2010, Raupp 2011). The overwhelming preponderance of the phloem and wood borers are beetles (63 species), followed by caterpillars (five species), sawflies (two species), and termites (one species) (Aukema et al. 2010, Raupp 2011).

While recent attention has focused on economic, ecological, and sociological impacts of high impact pests such as emerald ash borer and Asian longhorned beetle (Kovacs et al. 2010, Aukema et al. 2011, Donovan et al. 2013), in 1927 a new wood boring beetle arrived in North America, in Vancouver, British Columbia. It was the Japanese cedar longhorned beetle (JCLB).

Where did it come from, where is it now?

This pesky borer is native to Asia and found in China, Korea, Japan and Okinawa. It is also found in Taiwan where it may have been introduced. It has hitchhiked around the globe and now occurs in Spain, Italy and New Zealand. The first detection of JCLB in the United States occurred in Seattle, Washington, in 1954, but the discovery of beetles in natural populations of dead eastern red cedar (Juniperus virginiana), near Manteo, North Carolina in 1997 was the infestation that really caught easterners by surprise (Hoebeke 1999).

Within two years of the North Carolina revelation, JCLB was found in several nurseries near New Haven, Connecticut, where larvae infested some 40 living American arborvitae (Thuja occidentalis ‘Green Gem’). This important discovery changed some attitudes about JCLB, which was originally thought to attack only dead evergreens (Maier and Graney 2012). As of this writing JCLB has been found in Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, and North Carolina (Maier and Graney 2012). In addition to the detections and infestations in eastern seaboard states, this pest has been intercepted more than 200 times at ports of entry around the nation (Hoebeke 1999).

What does JCLB look like?

As the name implies, these beetles sport very long antennae. In fact, the male’s antennae may exceed the length of its
body. These robust beetles are rather small, only ¼ to ½ inch in length. Wing covers of the male are shimmery blue-black with reddish tones on the “shoulders” near the head. Female wing covers may be reddish brown. The larvae, called roundheaded borers, are creamy colored with three pairs of tiny legs on their thorax. They may be up to ¾ of an inch long.

**What is its life cycle?**

Most of what is known about the life cycle of JCLB has been documented in central Japan. By April juvenile stages have completed development and adult beetles emerge as temperatures warm in spring. Females mate then fly to branches where they deposit eggs in bark crevasses. On average each female lays about 18 eggs during the course of her life. Adults live but a few weeks and usually disappear by the end of May. Eggs hatch and the small larvae bore through the bark and consume underlying cambium and phloem. After eating these nutrient rich tissues, mature larvae bore into xylem where they complete development and construct pupal chambers. Adults complete development in autumn, but remain in their chambers through winter. In spring, adults chew their way out of the branch and search for mates (Hoebeke 1999). These studies concur with recent reports from Maryland of adult beetles overwintering inside branches excised in March.

**How does JCLB damage plants and what are the diagnostic features of an infestation?**

As larvae bore through cambium and phloem, they kill meristematic and vascular tissues. This causes dieback of branches. Dieback may not be observed until the spring following the initial infestation. Key diagnostic features include symptoms and signs such as branch dieback; split, puckered bark above larval feeding galleries; expelled frass near galleries and bark splits; oval exit holes about ¼ inch in diameter; frass packed galleries in cambium and xylem; and larvae, pupae, or adult beetles under the bark.

**What are the hosts for JCLB?**

In its native range, JCLB has been observed on Japanese cedar (Cryptomeria japonica), Hinoki cypress (Chamaecyparis obtusa), Sawara cypress (Chamaecyparis pisifera), and false arborvitae (Thuja occidentalis), Nootka falsecypress (Chamaecyparis nootkatensis), common juniper (Juniperus communis), and Monterey cypress (Cupressus macrocarpa), are added to the list (Hoebeke 1999 and other sources). In Maryland we have recently had reports of JCLB found in Leyland cypress (Cupressus x leylandii) and in logs of Atlantic white cedar (Chamaecyparis thyoides).

**How do we manage JCLB?**

Little information is available on the management of JCLB in landscapes. Recommendations for infested plants in nurseries include burning or chipping (Lundgren 2001). However, as with many wood-boring beetles, there is likely a close association between plant stress and borer attack especially in urban landscapes (Herms and Mattson 1992, Raupp et al. 2010). One prudent way to dissuade borers including JCLB is to reduce environmental stress on susceptible cultivars. This includes careful plant selection for a given site, proper installation including planting depth, judicious use of soil amendments, fertilizers and mulch, and attentive watering regimes that may include irrigation during times of drought.

JCLB can be mechanically controlled by simply removing and destroying infested twigs prior to the emergence of adult beetles in April and May. Although at the time of this writing I have not seen reports of insecticide trials against JCLB, arborists...
do have several choices of residual insecticides labeled for controlling borers including longhorned beetles on woody trees and shrubs.

As the onslaught of invasive species continues, keep your eyes wide open for you might be the next one to discover our newest exotic invader.

Websites consulted for this article:
http://ipmnet.umd.edu/landscape/LndscpAlerts/2013/13Mar29L.pdf
http://www.massnrc.org/pests/pestFAQsheets/japanesecedarlonghorn.html
http://www.uri.edu/ce/factsheets/sheets/sjclb.html

Literature cited


http://spfnic.fs.fed.us/exfor/data/pestreports.cfm?pestidval=87&langdisplay=english


Michael Raupp is a professor of entomology in Department of Entomology at the University of Maryland in College Park, Md., and an extension specialist. He works closely with arborists to develop and implement sustainable management approaches for insect and mite pests in urban forests. His most recent book, Managing Insects and Mites of Woody Plants: An IPM Approach, is in its second printing and is available through TCIA, as is his children’s book, 26 Things That Bug Me. Visit his blog at www.bugoftheweek.com.

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This is the second installment of a monthly series on the 75 year history of TCIA and the state of the tree care industry during those years. Part 1, “Tree Care Prior to the Founding of TCIA,” ran in the April 2013 issue of TCI Magazine. The series will continue looking at the state of the industry and the association, decade by decade, culminating with the November TCI EXPO show issue and our 75th anniversary celebration at TCI EXPO in Charlotte in November.

By David Rattigan

In 1938, the Japanese continued the offensive against China that started the year before, and in Europe, Germany continued the buildup to World War II under Adolf Hitler, including the annexation of Austria. Popular sentiment in the United States opposed any direct intervention, although the government took economic and other measures to support China and its Western Allies.

On the domestic front, the country was in the midst of a 13-month recession that started with President Franklin Roosevelt’s June 1937 move to cut spending and increase taxation in an attempt to balance the federal budget. It was the year the minimum wage was established in the United States, at 25 cents per hour.

It was also the year boxer Joe Louis knocked out Max Schmeling in the first round of a heavyweight rematch at Yankee Stadium in New York City; the year Seabiscuit defeated War Admiral; the year Action Comics #1 was published, introducing America to Superman; the year Orson Welles’ radio play The War of the Worlds created widespread panic; the year that the first ski tow in America began operations in Vermont; and the first time Kate Smith sang Irving Berlin’s “God Bless America.”

It was also the start of the Tree Care Industry Association, though that name wouldn’t appear for decades.

The association

At the 14th annual National Shade Tree Conference held on August 30, 1938, in St. Louis, Missouri, about 30 “commercial tree men” voted to create The National Arborist Association.

The seeds, so to speak, were sown at the conference held the previous year, when acting Chairman Charles Irish appointed a committee to formulate plans and prepare a tentative constitution for an organization that would focus on the business needs of the industry. According to association documents, members of the committee that wrote the constitution included Chairman W.O. Hollister, O.W. Spicer, S.W. Parmenter, Jack Gonzenbach and I.B. Dewson.

Article II stated the association’s mission, which was “to bring together those persons or firms engaged in the care of trees as a livelihood by the recognized methods of tree surgery, pruning, spraying, fertilizing, diagnosis, and kindred activities, in order that the profession may be recognized as a science and its activities may be promoted, that problems pertaining to practices may be discussed by the group as a whole or by committee, and to cooperate in securing or opposing legislation pertaining to the care of trees or those engaged in this work.”

The next day, the tree men elected the first officers of the new organization, President H.M. Van Wormer, First Vice President J. Cooke White,
Second Vice President C.L. Wachtel, Secretary-Treasurer Hollister, Irish, George Lewis and John Fox were named as the organization’s directors.

Fifty-six companies were accepted as charter members. Some of those involved, such as Irish, (Chas. F. Irish Co., Inc.), Hollister (Davey Tree Expert Co.) and Spicer (F.A. Bartlett Tree Expert Co.) represented companies that are still in business today.

Hollister served as executive secretary until August 1941, when the members voted to employ a paid secretary from outside the organization, Dr. Paul Tilford of Wooster, Ohio, a plant pathologist at the Ohio Agricultural Experiment Station, at Ohio State. In 1947, the position became a full-time one for Tilford, and the organization was incorporated in the state of Ohio as a non-profit corporation – renamed as The National Arborist Association, Inc.

The headquarters, beginning in 1941 and through the 1940s, was at Tilford’s home. As author of the association’s newsletter, he also became its voice.

Donald F. Blair, CTSP, 31-year TCIA member with Sierra Moreno Mercantile in Hagerstown, Maryland, recalls hearing a story about Tilford from Ross Farrens, founder of Farrens Tree Surgeons in Jacksonville, Florida, a charter member of NAA and association president in 1946.

“I remember Ross Farrens telling me that in the formative years of the NAA, there were times when the cash flow was insufficient to pay Tilford’s salary in a timely manner,” Blair recalls. “Without fanfare or recognition, Ross quietly paid Tilford’s salary out of his own pocket for however long it was until NAA’s finances improved.”

“He (Tilford) was a very, very capable man,” recalls Albert Winslow Dodge, who at that time went professionally as A. Winslow Dodge and worked for Bartlett Tree Expert Co. “He was good with the public and good with the other members of the industry. Later on, he became the mayor of the town where he lived.”

Dodge, now 98, was 16 when he followed his father, retired Army Col. Albert Wesley Dodge, into the tree care business, working for Bartlett. He counts both Tilford and his father among several excellent arborists from a time when the industry was undergoing changes.

“Information was coming out of university research, and they were taking advantage of that,” recalls Dodge, who lives in Wenham, Mass., but worked around the East Coast. Having a professional association to circulate that information was part of the association’s value, and many had the desire to professionalize the industry.

Like the country, the industry would change when America joined the war effort in 1941.

Arboriculture goes to war

As arborist-historian Blair wrote in “Arboriculture Goes to War” (TCI Magazine, July 1995), one immediate impact was in the labor force, which shrunk mightily as men joined the armed forces.

“Climbers are generally young, in good health and quite athletic – in other words, they are the darlings of drill sergeants from Parris Island to Fort Bliss,” Blair wrote. “Those who didn’t enlist in the surge of patriotic fervor that seized the nation sooner or later received greetings from their local draft board.”

Many of the older, established arborists – several of them business owners – wound up doing much of the work themselves, with much smaller crews. Some shifted their focus to concentrate more on smaller-scale jobs or landscape work.

Because of a weak heart, the Army wouldn’t let Col. A. Wesley Dodge (who had served in World War I) re-enlist. Instead, Dodge contributed to the war effort by designing and planting landscapes that would camouflage military airfields and other installations.

“He did a lot of contract work – concealment – planting around airfields, for example,” His son recalls. “I was working with him at that time and we did airfields at Presque Isle (Maine) and at Grenier Field in Manchester (New Hampshire), and some fields in the middle-Atlantic States. We went in and planted trees around there to confuse the target.”

They also did some installations near Boston, including some that disguised bunkers in Nahant, on Boston’s North Shore.

Much of the progress from the 1930s was put on hold, with less arboriculture research and relatively minimal activity by the association. Like the rest of the country, tree companies had to make do with rationing of many commodities, including gas and tires. According to Blair’s article,
Notable achievements and other milestones, 1938-1949

In 1939, the National Arborist Association received a formal opinion from the Federal Wage and Hour Division that placed tree care — its seasonal work schedules that expand and contract — under the definition of agriculture. Therefore, general tree care was exempt from the provisions of the Fair Labor Standards Act, also called the Federal Wage and Hour Law, which included not just a minimum wage but also required time-and-a-half for those working more than 40 hours in a week. Line clearance and right-of-way work for utility companies was not exempt.

In 1942-1943, a joint committee from the association and National Shade Tree Conference prepared a paper for the U.S. Army on transplanting trees and shrubs, which the Army used in preparing camouflage for military posts, reservations and other installations.

Also during World War II, the association obtained a ruling from the War Manpower Commission placing the clearing of communication and power lines on the “List of Essential Activities” for the war effort. Many supervisors and foremen had their service deferred because of that ruling.

In 1945, an association emblem was approved. It was available for member use on letterheads, statements, advertisements and literature. Eight-inch decals were available for use on trucks and equipment.

In 1946, the association presented Dr. J.C. Carter, plant pathologist from the Illinois Natural History Survey, with an award recognizing his research on Wetwood of Elms. The award included a framed certificate and $100.

Also in 1946, the association promoted an essay contest among American college students: “The Origin and Meaning of the Word Arborist.” Winner C. George Pazdrey, a student at St. Basil’s College in Stamford, Connecticut, received $50 and a trip to attend the 22nd National Shade Tree Conference in Boston.

In 1947, the association accepted a proposal from publisher Edward H. Scanlon that Trees Magazine be approved as the “Journal of the National Arborist Association.” The NAA had no legal or financial responsibility, but it was felt that there would be a benefit to both the association and the magazine to enter into that partnership.

In 1948, the association’s Standing Committee on Standard Practices adopted cabling and bracing methods described in an article by A. Robert Thompson of the National Park Service, U.S. Department of the Interior.

Edward Higgins from Frost and Higgins Company of Arlington, Massachusetts, “would have his crews take two tires off the rear duals in order to extend tire life.”

Albert Winslow Dodge soon joined the army himself, serving in the infantry. When he returned home in 1944, he returned to his profession, but not to Bartlett. He founded Dodge Associates (which still operates today as Dodge Tree Service, Inc. in Hamilton, Massachusetts) and joined the National Arborist Association.

“It took awhile to get going,” he says. “I just felt I could do a little bit better by myself. A little later on, my dad left Bartlett and came to work with me. We did work in a lot of colleges and schools and things like that.”

Post-war, it’s back to business

He wasn’t the only one. When the war ended in 1945, more soldiers returned home and many returned to tree work, either on their own or with other employers. Things were changing for the better in the United States, which emerged from the war as an economic superpower. The end of the war ushered in an economic boom that would last into the 1960s. Distributed fairly evenly across economic classes, this prosperity helped change the culture of the country.

Veterans took advantage of the 1944 G.I. Bill, which provided low-cost mortgages and low-interest loans, financial payments for college or vocational school tuition and living expenses.

The year 1946 was also an important one, the start of the “Baby Boom,” which peaked in 1957. The housing boom created more work, including a need for more electricity, and line-clearing companies such as Asplundh and Farrells Tree Surgeons had “more work than they knew what to do with,” according to Blair’s article.

For tree care, the post-war period was a time of optimism and adjustment.

“After the war, the crews started getting going, but we began to mechanize, too,” Dodge says. “For example, the Skyworkers (a.k.a. cherry pickers), some of those came in at that time. I had four of
Those myself, my company did.”

Other innovations also came out of the war, including the development of a new material, and new designs on some machines. Nylon, which eventually became the preferred material for climbing lines, was developed for use on parachutes. In “Arboriculture Goes to War,” Blair noted that synthetic chemicals with agricultural uses were developed.

Dodge says that mist sprayers were another wartime innovation, used to keep mosquitoes off of soldiers and later to control mosquitoes and other insects in suburban neighborhoods and on marshes.

“We had some fellows that all they did was spray all summer,” Dodge says.

Another serviceman was William “Bill” P. Lanphear III, a tree care worker whose dad, William “Will” P. Lanphear, Jr., founded The Forest City Tree Protection, Co., servicing the Cleveland area (going back to the 1850s, Cleveland was one of the first cities with a municipal tree-planting program). Lauren Lanphear, Bill’s son, and current president of Forest City Tree, a TCIA member company since 1948, recalled the story of his dad returning from World War II.

“One thing he was exposed to was the chain saws that the Germans were using,” Lanphear recalled. “He told his dad, ‘that’s something we need to find out more about.’” And the company soon purchased its first chain saw.

Two German manufacturers led the development of the chain saw for forestry uses (it was originally used in surgery), Dolmar and Stihl. The early models were heavy and required two men to operate. For instance, a two-man chain saw developed by Stihl (originally called A. Stihl Maschinenfabrik in Stuttgart-Bad Cannstatt) in 1938 weighed only 81 pounds, and the company produced a slightly-lighter (79-pound) model in 1943.

“They were big and heavy,” Lanphear recalled. “They had to do quite a bit of rigging to get it up a tree.”

Army engineers had further developed the chain saw, to the point where it could be handled by one man, and it became a popular tool for tree work. Stihl unveiled a one-man saw in 1950.

**Picking up momentum**

Prosperity didn’t come immediately, and a labor shortage continued into 1949 – in part because men were concerned about work during winter, and taking jobs in other fields, according to the association’s reports – but business improved, particularly in 1947.

There was a strong support for trade organizations, and the association beat the drum to attract more members. An article in the November 1948 issue of The Business Lawyer credited to the American Bar Association’s Committee on Trade Associations, reads, in part, “We believe in trade associations. They can be, and for the most part are, constructive forces for the accomplishment of much good.”

In 1947, an article in Agricultural Chemicals was more colorful as it mused, “Little does the average business man appreciate the extent to which trade associations have held an umbrella over his interests in recent years, protecting him against all sorts of screwball regulations, legislation, and against misguided zealots who for years have viewed business as only interested in mulcting the public.

Particularly, the non-member of any trade association is usually unaware of the headaches which he may have avoided as a result of industry group activities. Today, with the horizon literally dark with thousands of proposed state laws and regulations, the importance of intelligent association actions is greater than ever.”

Perhaps because of the times and perhaps because of a more concerted effort to build membership, the NAA was growing. From the original 56 members in 1938, membership had grown to 84 members in 1946. By 1949, membership was at 149.

The NAA was sharing information with its members that was important to the industry, including on wages, ethics and business practices. The notes from the 1947 meeting at the Hotel Cleveland in Ohio include some notes from a presentation on sales methods by member Vance I. Shield, who “emphasized the importance of timely, well written letters and the use of the telephone in selling shade tree service. Sales letters should be short, dignified, explain the service and invite an inquiry... Have a service you believe in, be fair with your clients, make frequent contacts by letter and telephone, become well known in the community – then selling will be no problem.”

The association also had some concerns, including the effect of DDT and other chemicals on human, animal and tree health, as well as the growth of trade unions and its own labor force.

“To get good men and hold them, we need to make our labor feel that they belong to an indus-
try, that their job has the status of a recognized trade, and that as long as they give good service they have about as much security as they would have in other lines of work,” a 1949 newsletter read. “In the period ahead we may make some progress. It is worth thinking about.”

While some reports and newsletters also noted an expected economic decline, business continued to be good.

Late in the decade, the association conducted a survey of members. A 1949 report, based on a total of 77 questionnaires returned, provided information about wages, business, and more. Among the findings: 58 respondents had “all the work they could do,” but 33 said it was harder to sell work than it had been the year before, and 37 said collections were slower than the year before. All but one member said that common labor was plentiful, and 71 percent said the labor was better than in the previous year.

The average hourly rate of pay for foremen for those paying on an hourly basis was $1.43 per hour, with the lowest rate $1 per hour, and the highest $2.50. Tree men or climbers averaged $1.21 per hour, and the average rate for common labor was 98 cents.

Some interesting answers came from the question, “What has been your greatest problem in running your business during the past year?”

The answers then are the same answers many present-day tree care professionals would cite, including a shortage of good workers, balancing the seasonal aspects of the work to keep crews busy, keeping equipment in good repair, slow collections, and a lack of time for billing and bookkeeping. A number of respondents cited the major problem of “increasing competition from new, low-priced outfits, who have recently entered the field.”

So as the ’40s wound down, tree care businesses, particularly those that were part of the newly incorporated trade association, had put the war behind them, were back to work and busy establishing themselves as professionals. They were already watching out for the industry’s interests in Washington, and ever leery about the economy, though they were in the midst of a boom time for the industry.

Next month – the 1950s.
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George Pogue Jr. grew up in the tree care business. His father, George Sr., and his mother, Nancy, founded Cumberland Valley Tree Service Inc. in Chambersburg, Pennsylvania, in 1978. George Jr. began working part time as a bush dragger when he was 14 years old, graduated from Penn State with a degree in forestry, and joined the company full time in 1985.

Lisa Whitfield grew up in a similar lifestyle, helping her mother with administrative duties in her parents’ tree care company, Whitfield’s Tree Service, a friendly competitor of George’s parents. The two families lived on the same street. George Jr. and Lisa met. The rest is history.

They were married in 1990, and Lisa joined the company in 1999. She became the corporate office manager as well as George’s partner in his vision to increase the company’s financial stability by continuing its growth and by diversifying into landscaping.

“Our vision was to control properties from their original design and to care for the trees as they were growing,” George says. “We also love to work on mature, historical trees. We work on trees that are 400 years old.”

The company was featured on their local news earlier this year because of the work they did on one of Gettysburg’s “witness trees,” a 250-year old tree that was alive as far back as the Revolutionary and Civil wars.

Cumberland Valley includes other family members as well. George Jr.’s sister, Stacy, married Fred Schrom, who began working there in 1988. Schrom established the first satellite office, in Carlisle, Pa., in 1994. Stacy and Fred’s son Jacob graduated from Penn State as a landscape contractor with an emphasis on landscape design, and son Daniel graduated with a degree in forestry. A third son, Boaz, is still in school but works there part time.

George Sr. and Nancy still own the company and are still actively involved in it. “Dad loves to haul logs,” George says. “Mom helps in the office.”

The company now has a second satellite office, in Gettysburg. Because the area is very rural, some 90 percent of their customers are residential. Their services include landscaping, design/build and maintenance as well as preservation, pruning, removals and tree health care.

Their tree preservation strategies include construction site tree protection, tree risk assessments, diagnostic evaluations, cabling and bracing, fertilization, lightning protection, root zone therapy and air spading. They prune to improve the appearance as well as the health and structural integrity of the trees. When it isn’t possible to save a tree, their crews are skilled at removing them safely.

Their Plant Health Care division monitors trees, and does soil analysis, nutrient management and fertilization, insect and disease diagnosis and management, root zone therapy and air spading.

“We have a lot of southern plants mixing in with northern plants because of our location,” he says. “A lot of our work is because the wrong tree is in the wrong place or the wrong soil. We can save trees by managing them.”
They have 30 employees in the field, many with degrees in areas such as forestry, urban forestry, and landscape architecture. Eleven of them are ISA-certified.

“We are very proud of our staff,” Lisa says. “Our customers know that the people working on their properties are working in their chosen fields, not just working at a job.”

The company nurtures contacts that might not have occurred to many other tree care company owners. For example, Cumberland Valley employees make classroom visits to the forestry department at Penn State.

“We love to teach, and it’s also a good way to recruit,” George says. “The kids come to know us and we get to know them. We’re recruiting at the college level all the time.” They look for – and find – employees who are well spoken and who can write articles about their experience in the field.

The company also contributes to both the forestry program and the nursing program at Penn State, says Lisa. “It’s a great connection, because for the past three years the nursing and forestry students have conducted a training exercise to simulate an accident in the woods.”

Cumberland Valley goes to great lengths to take care of its employees, George says. They provide top industry wages, year-round work, career development training, a benefits package and a retirement plan.

A large part of their work comes from referrals from landscape architects, as well as from customers who are members of historical societies and garden clubs, and who refer them to their fellow members. The company also advertises in the yellow pages, on Facebook, and with their website, mailers and newsletters.

“Customers come to our company for our knowledge and expertise,” he says. “It’s easy for me to sell our work because of our employees’ credentials.”

At one point, George wanted to qualify for a line of credit in order to expand, and he discovered that banks require companies to have a mission statement. Although Cumberland Valley was successful and growing, George and Lisa had no mission statement, no business plan, and no concept of where they stood in the industry.

“That led us to Accreditation,” he says. “And what Accreditation forced us to do was stop, take a breath from growing, and think about where we were going.”

The company was accredited in 2007. The process took about a year, with every-

(Continued on page 34)
Hi-Lights for Arborists

In this feature, a take-off of the Highlights Magazine children’s puzzles, our goal is to point out unsafe behaviors that can, and have, led to injuries or deaths in the tree care industry.

One month we run the image and challenge readers to identify one or more hazards depicted. The next month we identify the hazards. The intent is that these will be used individually and/or by crews, for tailgate safety sessions or in other training.

What unsafe behaviors (and related ANSI Z133 standards) do you see? Send feedback to editor@tcia.org.

Caution: This photo is intended to show one or more ANSI, OSHA violations, or other hazards. Activities shown are NOT approved practices.

Cuidado: Esta es una foto para mostrar una o mas ANSI, OSHA u otras infracciones de seguridad. Las actividades mostradas no son practicas aprobadas.

For the previous Hi-Lights picture, at right, which ran in the April 2013 issue, unsafe behaviors include:

- No second point of attachment (climbing line) while using a chain saw aloft.

6.3.7 Arborists shall be tied in and use a second means of being secured (i.e., work positioning lanyard or second climbing line) when operating a chain saw in a tree. Using two work-positioning lanyards or both ends of a two-in-one work-positioning lanyard shall not be considered acceptable as two means of being secured when using a chain saw in a tree.

- No eye protection. He appears to have sunglasses and they might be ANSI-approved, but they’re not protecting his eyes!

3.4.9 Eye protection shall comply with ANSI Z87.1 and shall be worn when engaged in arboricultural operations.

- No hard hat.

3.4.4 Workers engaged in arboricultural operations shall wear head protection (helmets) that conforms to ANSI Z89.1.

- No hearing protection. (A stocking cap pulled over one’s ears doesn’t count.)

3.4.8 Hearing protection provided by the employer shall be worn when it is not practical to decrease or isolate noise levels that exceed acceptable standards.

- Both thumbs are supposed to encircle their respective handle on the saw.

Cumberland accreditation

(Continued from page 33)

one pitching in.

“It was painful a little bit,” he says. “It took us days, if not weeks, just to develop the mission statement. But Accreditation played into our core values. We like to do things right by the client. We always want to give great service. We may not be the cheapest, but we give great value. And we want our clients to know we’re going to be fair and do things right.”

There was some resistance from their employees, Lisa says. “But it was a perfect time to impose some systems on these wild tree men.”

Becoming accredited changed the way they saw themselves. They realized that it wasn’t hard to do the steps, and that they were more professional and qualified than they’d realized. They developed standardized systems, policies and procedures, and documentation for all three offices. They worked on branding, including having all their vehicles painted alike. With the paperwork in order, it was easier to get and retain the best employees. And they developed more sales staff, simply by encouraging their foremen on the jobsite to talk to neighbors who drop over to watch them work.

“Accreditation gave us the boost to grow,” George says. “It was an exhilarating process once we saw the light at the end of the tunnel. It was a rollercoaster, but it was well worth it. We feel like a juggernaut, ready to take over more territory.”

How many UNSAFE BEHAVIORS can you find in this picture?

Aaron Feather, CTSP and general foreman, working inside the remaining stump after a high risk tree removal.

What unsafe behaviors (and related ANSI Z133 standards) do you see? Photo courtesy of John Ball, CTSP, South Dakota State University.

should not have on if he is pruning (per ANSI A300 Part 1, 5.2.2), we will assume these are takedowns. Also, if these are not takedowns, there are some pretty terrible pruning cuts standing out.

Things he’s actually doing right:

- Two hands on the saw.
- Appropriate cuts, assuming it’s a removal.

Cumberland accreditation

(Continued from page 33)

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Aaron Feather, CTSP and general foreman, working inside the remaining stump after a high risk tree removal.

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Managing Drought Stress on Urban Trees

An unwatered landscape, left, vs an irrigated landscape, right. This photo has not been doctored. It was taken in or near Minnetonka, Minnesota, last September. Photos courtesy of Rainbow Treecare Scientific Advancements.

By Brandon M. Gallagher Watson

As you may have noticed, it’s been dry. Last year, 2012, was one of the most stressful years for plants on record. In the northern parts of the country, folks were treated to a gloriously warm and early spring, up to six weeks ahead of schedule in many places. The trees and plants came out of dormancy to an environment where water and sunlight were in abundance and they responded accordingly. They dug into their reserves to put out flushes of growth and created large vessel elements to transport the available water quickly. All was well. Then someone turned off the tap.

By all accounts, the summer of 2012 was a historic drought. In fact, according to a recent report from the National Climatic Data Center, it was the most expansive drought in nearly 50 years, with 54.6 percent of the land in the lower 48 states in drought conditions by June. Measured by an algorithm called the “Palmer Drought Severity Index,” last year’s drought was the sixth worst drought since 1895 in terms of percent of affected land. To put this into perspective, the drought of 2012 edges the 1936 drought and is slightly behind the 1934 one that made up the Dust Bowl era. But because the 1930s droughts began in the spring so the plants woke up to dry conditions and were able to plan accordingly, in terms of the drought’s effect on plant stress, the wet spring/dry summer of 2012 was perhaps the worst on record.

Even school children know that plants need water, but what are they using that water for? Like most living things, plants are mostly water, in fact, up to 90 percent of their mass is comprised of water. Not only does water provide the turgid pressure that keeps plants rigid, it is their primary means of temperature control. Nearly 95 percent of the water a plant takes up is transpired to keep the plant cool. They also use water for osmosis, chemical movement, and photosynthesis.

Photosynthesis requires a watery matrix to take place in, but it also requires carbon dioxide. CO₂ enters the leaves through the stomates, which are little openings in the leaf that allow for gas exchange. This is where a plant is often in a quandary – they need the stomates open to receive CO₂, but if the stomates are open too long on a hot day, they lose too much water and become drought stressed. If the stomates stay closed, water stays in but the reduced CO₂ input results in photorespiration, a much less efficient form of food production for the plant. Photorespiration can reduce a plants energy production by up to 25 percent, so the plants are constantly trying to avoid this. Some desert plants have evolved a means to open their stomates at night, store the CO₂, and utilize it for photosynthesis when the sun is shining the next day.

The vast majority of plants, however, cannot photosynthesize this way and must open and close their stomates throughout the day, enough to let CO₂ in but minimize the loss of water. Abscisic acid is a hormone produced throughout the plant that can be utilized to open and close stomates responsively as the conditions change. Commonly known as “the stress hormone,” abscisic acid is one of the plant’s first lines of defense against drought.

Trees respond a few different ways to drought. Mostly we think about wilting as a drought symptom, but usually by the
time a plant is showing wilt it has been stressed for a while. Preclinical symptoms (those symptoms that occur before we see we can see them) include an increase in abscisic acid and, in certain trees, an decrease in defense compounds. In order to compensate for the reduced photosynthesis, trees will often liquidate sugars stored in the roots. By doing this, they run the risk of attracting opportunistic pathogens such as *Armillaria*. Trees also become more susceptible to secondary pests such as boring insects and bark beetles. A healthy tree can fight off these invaders by pushing them out with sap and producing defense compounds to make them less tasty. When water supplies are low, the trees are unable to defend themselves and they become susceptible. In the natural forest, these insects play a key role in weeding out the weakened trees and strengthen the population. In an urban forest, an arborist may be called upon to help bolster the tree’s defenses against these pests.

Fortunately, drought is a tree stress that has several management options in the toolbox. The obvious remedy for lack of water is to simply add water. As an arborist, you will not likely be around to water your client’s tree so we need to educate homeowners on proper watering. There are many formulas out there for calculating how much water a tree needs, but as your client is not likely going to know the bulk density of their sandy loam soil, it’s best to use simple rules-of-thumb. An easy one to pass on is five minutes of sprinkler time per inch of diameter once a week during the hot season. Thus for a 12-inch DBH tree, have the client run the sprinkler for an hour once each week.

While water alone will go a long way to keeping trees healthy when it’s not raining, adding mulch around the tree will also be a major improvement. Research has shown replacing turf under trees with a few inches of organic mulch significantly improves tree roots by increasing soil aeration, retaining moisture, increasing nutrient availability, and, most importantly, removing the grass that is a fierce competitor for the same water resource as the tree. How much mulch should you recommend to your customers? Follow the lead of Dr. John Ball: “Show me the property line and we’ll negotiate inward.”

Stressed trees that are now susceptible to the secondary invaders such as the boring insects and bark beetles mentioned above can be protected by employing systemic insecticides. Systemic treatments, however, rely on transpiration, and thus water, to move within the tree. Informing the tree’s owner to keep the tree irrigated after the application is key to protecting drought stressed plants. Utilizing highly soluble and fast-acting treatments such dinofeturan (Transect, Safari) and acephate (Lepitect) will have greater success for times of low moisture than slower moving treatments such as imidacloripid (Xytect, Merit).

A product widely used in the arborist market is palcobutrazol (Cambistat, Profile). This product is applied to base of the tree and when it translocates to the canopy it will block the formation of gibberellic acid. This results in a reduction of vegetative growth, which has many uses in tree care, from keeping trees out of power lines longer to keeping a suburban lawn tree at a reasonable size. It turns out that gibberellic acid is made from some of the same base compounds as other plant hormones such as abscisic acid. So by reducing the amount of gibberellic acid we are increasing the amount of abscisic acid. This slower-growing tree will be putting more energy into root production than shoot production and, with the increased abscisic acid, be more responsive to urban tree stress.
Drought stress is a very serious condition for urban trees, which are already dealing with hotter and drier conditions than their counterparts in the natural forest. Will 2013 return to average precipitation levels or be another drought year? Unfortunately, it is impossible to say for sure, we do know that not many climate experts predict more rain and cooler temperatures any time soon. Fortunately, with the help of tree care professionals and better-educated homeowners, drought is a condition that can be managed and the stress on trees can be reduced. Now we just need everyone to pray for rain…

Brandon M. Gallagher Watson is communication director with Rainbow Treecare Scientific Advancements, a TCIA associate member company located in Minnetonka, Minnesota.
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The wheels have fallen off what was arguably a rickety wagon. Effective March 22, U.S. Citizenship and Immigration Services (USCIS) temporarily suspended adjudication of most H-2B petitions for temporary non-agricultural workers while the government considers appropriate action in response to the Court order entered March 21, 2013, in Comite de Apoyo a los Trabajadores Agrícolas et al v. [U.S. Secretary of Labor Hilda] Solis.

The Comite, an agricultural workers’ advocacy group, won a permanent injunction against the operation of the portion of the Department of Labor’s (DOL) 2008 wage rule related to certain prevailing wage determinations.

The plaintiffs challenged the DOL’s decision to delay, by almost one year, the effective date of a set of regulations that govern the wages of H-2B workers. The court found that the DOL violated the Administrative Procedure Act by imposing the delay without engaging in notice and comment. The court also found that the DOL acted in contravention of the Immigration and Nationality Act because it justified the delay by pointing to potential hardship to employers – a consideration that is outside the scope of the DOL’s congressional mandate.

The DOL was given 30 days to come into compliance with the Court order. This will allow USCIS to resume adjudication of H-2B petitions.

The H-2B non-agricultural temporary worker program allows U.S. employers to bring foreign nationals to the United States to fill temporary non-agricultural jobs. There is a statutory numerical limit, or “cap,” on the total number of foreign workers who may be issued a visa or otherwise provided H-2B status during a fiscal year. Currently, the H-2B cap set by Congress is 66,000 new applicants per fiscal year, with 33,000 to be allocated for employment beginning in the first half of the fiscal year (October 1-March 31) and 33,000 to be allocated for employment beginning in the second half of the fiscal year (April 1-September 30).

When the H-2B application processing stopped, USCIS was working on the cap for the second half of the year. As of March 31, 14,428 applications had been approved and another 5,989 were pending, for a total of 20,135. Ordinarily, USCIS would process about 44,000 applications to meet the 33,000 cap. The State Department will continue to process H-2B visas for any completed H-2B applications.

Peter Gerstenberger is senior advisor for safety, compliance & standards at TCIA.
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A
rborists often prune trees to reduce the risk of tree failure, but is there a type of pruning that is more effective than others? This article will review common types of pruning and some basic physics concepts, and then summarize the results of experiments on pruning and wind.

Good and bad pruning

The A300 standard describes several types of pruning. Three types that arborists often use are thinning, reducing and raising. Raising is removing the lower branches to obtain vertical clearance below the tree. A good example of this is pruning to provide a line of sight to street signs or vehicular clearance along roads. Reducing is shortening branches to provide clearance above or adjacent to canopy. Reducing is sometimes necessary to provide clearance next to buildings or utility wires. Thinning is removing branches throughout the canopy without changing the size or shape of the tree.

Two types of pruning that are not advisable include topping and lion’s tailing. Topping reduces the size of a tree by making internodal cuts, and lion’s tailing strips out foliage along the length of main branches, leaving only a small amount of foliage at the end of each branch. Because so much leaf area is removed, these types of pruning hinder photosynthesis and undercut tree health. Lion’s tailing also may increase the risk of sunscald on thin-barked trees. The response of healthy, vigorous trees to both types of pruning is to regrow twigs and leaves to improve photosynthesis. On topped trees, there is usually a profusion of water sprouts at each cut; on lion’s tailed trees, water sprouts form along the length of each branch. The response of stressed trees, or species that don’t readily form water sprouts is a decline spiral and, in the long run, death.

Topping and lion’s tailing also do not decrease the risk of failure, even though they can reduce the wind load on a tree. Topping increases the chance of decay forming at internodal cuts because there is no branch protection zone. The water sprouts that start growing from the internodal cuts often have poor branch attachments and, with the greater chance of decay at the cut, the risk of failure is not less. Although topping might initially reduce the size of a tree, the effect may not last very long because healthy trees will grow water sprouts that quickly return the tree to its original size. Lion’s tailing causes branches to grow long and spindly, so they do not move naturally in the wind. Wind might pass through the canopy of a lion’s-tailed tree more easily, but because the branches are more slender, the failure of individual branches may be more common because the force is applied farther out on the branch. Lion’s tailing changes the lever on the branch. Lever is an important concept in physics.

Basic physics

There are a few important physics concepts that illustrate how pruning can affect the likelihood of failure. This review is a very simplified version of the physics of trees being blown around in the wind. In reality, the interaction of trees and wind is very complex and scientists still do not fully understand all of the processes. It is still helpful to think of these concepts as you consider how to prune a tree and what its effect may be on the likelihood of tree failure.

With wind loading, the lever is essentially the distance from the base of the tree to what is known as the center of pressure. An easy way to think of the center of pressure is the point along the trunk that would cause the tree to balance horizontally if you hung it from a crane. It’s more complicated than that because the leaves and wood of the tree do not have the same density and because the branches are flexible and bend in the wind.

An individual branch also has a center of pressure: the balance point where the branch would be horizontal if you hung it from a crane. If you have two branches that are exactly the same, but one has been lion’s tailed and the other has not, the center of pressure for the lion’s-tailed branch would be farther away from the branch attachment because all of the leaf area is near the branch tip. The weight of the extra leaves near the tip of the branch would cause it to be heavier farther away from the attachment.

Lever is important because it increases the torque or bending on the tree or branch. When felling a tree, arborists usually tie it off with a rope to help pull it over. The rope is installed higher up the trunk because it gives you a greater lever (more leverage). More leverage means that for the same amount of force, a greater torque or bend-
ing results. Force is another mechanical concept: it’s a push or a pull. The force that you exert with the rope as your co-worker makes the back cut on the trunk is a pull. If you move a heavy log with a skid-steer, you might push it along the ground.

The amount of torque is the force multiplied by the lever. So if the wind exerts 1,000 pounds of force and the lever on the tree is 30 feet, you get 30,000 foot-pounds of torque at the base of the trunk. If the wind exerts 2,000 pounds of force, but the lever is only 15 feet, then you still have 30,000 foot-pounds of torque. If the wind exerts 1,000 pounds of force and the lever on the tree is 20 feet, then the torque at the base of the trunk is only 20,000 foot-pounds. The force was exactly the same, but the torque was less because the lever was shorter.

The force that the wind exerts on a tree is called drag, and it depends on the following factors: air density, canopy area, drag coefficient, and wind speed. Of those four factors, drag coefficient may be the one that is least familiar; the others are self-explanatory. The easy way to understand drag coefficient is that it measures how aerodynamic an object is, or how easy it is for wind to pass by the object. For example, if two square plates made of steel have the same area but one has rounded edges and the other has squared edges, the drag coefficient will be less for the plate with rounded edges. Air can pass by it more easily, even though it has the same area as the other plate with squared edges.

Of all the factors that affect drag, wind speed is the most important because it is squared (multiplied by itself). If the canopy area, air density, or drag coefficient is doubled, drag is doubled, but if wind speed is doubled, drag is multiplied by four, because two squared (two times two) is four. Another thing to remember about wind speed: pruning will not change it. If half the canopy area is pruned, drag is reduced by one-half, but if the wind speed doubles, drag increases by a factor of four. In that case, even though pruning removed half the canopy, drag would still double because of the increased wind speed.

One challenge in using canopy area to calculate drag is that the area that you could measure by taking a photograph of the tree changes as the wind speed changes. Watch a video of a palm tree in a hurricane and you can see how much the fronds reconfigure to reduce area. The total surface area of the fronds is the same, but the area looks very different to you because their shape has changed. It is not easy to measure the exact surface area of the canopy, but an alternative that works well is the weight of the canopy. Everything else being equal, drag increases in proportion to the weight of the canopy.

**Pruning and likelihood of failure**

Pruning affects two aspects of wind loading on trees. First, pruning removes weight from the canopy, which reduces drag: the more weight you prune from the canopy, the greater the reduction in drag. Second, pruning may change the location of the center of pressure, which changes the lever. Reducing tree height reduces the height of the center of pressure, which means that the lever will be shorter. However, raising increases the height of the center of pressure, which increases the lever. The effect of pruning on drag and lever is important because drag multiplied by lever is torque. For two identical trees, if one experiences greater torque from the wind, it has a greater chance of failure.

From these guidelines, one might guess that the best way to reduce torque on the trunk is to reduction prune the tree rather than raising or thinning it. This is true because reduction pruning shortens the lever as well as reducing drag. Thinning does not usually change the lever, but raising increases it.

Another advantage of reduction pruning is that it removes more foliage for the same amount of weight pruned than does raising. Raising removes whole branches, so for the same amount of weight, a lot more of it is branch wood, not leaves. This is important because the drag on a branch is much less than the drag on a leaf assuming they have the same area. Wind can pass by a branch fairly easily because of its cylindrical shape and more rigid form. Leaves tend to have more drag because they are less rigid and it is harder for wind to move around them.

Is reduction pruning the best type of pruning for every tree? The answer, of course, is no. Some species do not tolerate reduction pruning as well as others. Even if chance of failure is less because reduction pruning effectively reduced torque, the physiological harm to the tree could cause it to be more susceptible to pests or adverse cultural conditions such as drought. Second, even though reduction pruning might reduce torque more than other types of pruning, the tree may grow differently
after pruning. For example, some species tend to produce more growth in response to reduction cuts than thinning cuts, and even though you reduced drag and the lever right after you reduction pruned a tree, it might grow back more vigorously in the future, increasing drag, the lever, and, as a result, torque.

How confident can one be that reduction pruning actually reduced the risk of failure more than other pruning types? The research shows only that it reduced the torque on the trunk better than other pruning types. However, it might be true for some species that reduction cuts increase the chance of decay more than thinning cuts. If that happens, over time, the trunk may end up with more decay, giving a greater chance of failure, even though the torque is less. This is why it’s hard to prescribe a “one-size-fits-all” pruning technique for every tree and every pruning situation. In consultation with the A300 Standard for pruning, professional judgment – based on the species, growing conditions, and client needs – should be used to determine which pruning type will give the greatest benefit for the client in the long term.

Research has also shown that the reduction in drag is greatest when trees have no leaves. From one perspective, then, defoliating trees might be a great way to reduce the risk of failure. This is obviously a silly example, but it does point out that mechanical and biological considerations, as well as the client’s budget and aesthetic preferences, are important when deciding how to prune a particular tree. For example, if you expect that a tree’s response to reduction pruning will be vigorous growth, you should let the client know that you may have to prune the tree more frequently in order to maintain the reduced torque. It would also be prudent to make sure the client understands the possibility of greater decay from reduction cuts.

Two important limitations also have to be considered. First, the research on pruning has mostly considered smaller trees, and it is not a guarantee that larger trees will respond exactly the same. Second, the research has also mostly considered what engineers call static forces – they do not change over time. In reality, wind gusts change speeds quickly, and trees respond by swaying. Pruning can also change the way a tree sways, but this effect has been studied much less so it’s hard to draw strong conclusions.

Your arboricultural experience is still important when making decisions about pruning. Hopefully, this article has provided additional information to help you make decisions by considering some of the mechanical effects of different pruning types.

Brian Kane is the Massachusetts Arborist Association professor of commercial arboriculture in the Department of Environmental Conservation at the University of Massachusetts-Amherst. The National Urban and Community Forestry Advisory Council funded, and some of Kane’s former colleagues at Virginia Tech participated in, the research that contributed to this article. This article was based, in part, on Kane’s presentation at TCI EXPO 2012 in Baltimore on the same subject. To listen to the audio recording of that presentation, go to the digital version of this issue of TCI online at www.tcia.org and click here.
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Independent contractors have long been a proven strategy used by tree care professionals and other employers to achieve workforce flexibility and save money. Unfortunately, a recent Department of Labor study revealed a whopping 30 percent of businesses “misclassified” employees as independent contractors. Cracking down on employee misclassification has proven such a revenue generator that the Internal Revenue Service has devoted millions to its enforcement efforts.

At its most basic, the employee/independent contractor controversy boils down to the argument that by labeling a worker as an independent contractor rather than as an employee, a tree care business can avoid the voluminous paperwork and payroll tax burden. An arborist, landscaper or other individual who is an independent contractor can exclude certain types of compensation from income or deduct work-related expenses.

In fact, it is no secret that the self-employed and independent contractors contribute greatly to the ever-increasing “tax gap,” the difference between the taxes owed and the taxes actually paid. The Government Accountability Office estimates that the misclassification of workers costs the federal government $2.7 billion each year.

More recently, under the Affordable Care Act (Obamacare), tree care businesses with 50 or more “full-time equivalent workers” will soon be required to offer health plans to employees, or pay stiff penalties (beginning in 2014). Some employers may be tempted to reclassify employees as independent contractors as a way to side-step this mandate but, beware, this is a strategy fraught with problems if the IRS comes knocking and the worker classification rules are not properly followed.

Who is and who ain’t?

The courts consider many facts when deciding whether a worker is an independent contractor or an employee. Although the courts and the IRS often rely on a 20-factor test when determining just who is and who isn’t an independent contractor, generally the relevant facts fall into three main categories: behavioral control, financial control, and relationship of the parties.

Is the worker subject to the control of the service recipient, not only as to the nature of the work performed, but the circumstances under which the work is performed? Individuals who follow an independent trade, business or profession in which they offer services to the public are not employees.

Bottom-line, it is usually up to those tree care operations and other businesses that wish to use independent contractors to create a situation in which they do not control how the individual performs a particular task for them. Misclassifying a worker as a nonemployee can result in liability not only for employment taxes, but also for the 100-percent penalty for failure to collect and account for employment taxes.

Re-labeled as employees

From a worker’s standpoint, it is not always a bad deal for someone calling themselves independent contractors to be re-labeled as an employee. After all, a worker may receive employee fringe and pension benefits, may be entitled to reimbursement for business expenses, may be entitled to federal and state minimum wage and hour standards, and may receive coverage under nondiscrimination laws, unemployment insurance and workers’ compensation protection.

The IRS has a special form, Form SS-8 that will allow either a worker, or an employer, to quickly obtain an official determination of the individual’s tax status. Although the IRS’s SS-8 program is helpful, there is some risk involved. According to the IRS, over 72 percent of all Form SS-8 requests received by the IRS resulted in determinations that the workers in question were employees. Only 3 percent resulted in
determinations that the workers in question were independent contractors.

Volunteering to re-classify

Late in 2011, the IRS launched a new program, the Voluntary Classification Settlement Program, or VCSP, that allows employers to prospectively reclassify – as employees – workers who they have erroneously treated as independent contractors or as other “nonemployees.” The program carried generous settlement terms as well as provided relief from employment tax audits for previous years.

Any tree care business accepted into the VCSP agreed to prospectively treat the class of workers as employees for future tax periods and, in exchange:

a). Pays 10 percent of the employment tax liability that may have been due on compensation paid to the workers for the most recent tax year, determined under the reduced rates of Code Sec. 3509;

b.) Won’t be liable for any interest and penalties on the liability;

c). Won’t be subject to an employment tax audit for the worker classification of the workers for prior years; and

d). Agrees to extend the period of limitations on assessment of employment taxes for three years for the first, second and third calendar years beginning after the date on which the taxpayer has agreed under the VCSP closing agreement to begin treating the workers as employees.

Best of all, the IRS’s rejection of a VCSP application will not automatically trigger a Federal tax audit. A rejected tree care business could, however, be audited for another reason, but not as a result of filing Form 8952 (Application for Voluntary Classification Settlement Program (VCSP)).

As mentioned, employers cannot qualify for VCSP if they are currently being audited by the U.S. Department of Labor or a state agency concerning worker classification – or be challenging worker classification in court. What’s more, the employer cannot, as mentioned, be undergoing an employment tax audit.

A safe harbor from morphing liabilities

Liabilities for violations of the wage and hour laws, discrimination, wrongful termination, and similar rules can be easily minimized simply by not having employees or keeping their ranks to a minimum. And, as some tree care professionals have discovered, it is possible to have some workers operate as independent contractors, thus sidestepping a panoply of tax and other liabilities – maybe. Or, relief can be obtained using a unique “safe harbor” in our tax laws.

Created in 1978, Section 530 of the Tax Code provides relief from re-classification liabilities when an employer misclassifies workers. The safe harbor provides protection when an employer has classified a worker as an independent contractor and the worker is reclassified as a result of an audit.

Created in 1978, Section 530 of the Tax Code provides relief from re-classification liabilities when an employer misclassifies workers. The safe harbor provides protection when an employer has classified a worker as an independent contractor and the worker is reclassified as a result of an audit.

The employer is relieved of liability if the tax returns, including Forms 1099, show all similar workers were consistently treated as independent contractors, and that there was a reasonable basis for that classification. Employers must usually satisfy three requirements: a reasonable basis for treating the workers as independent contractors, a substantive consistency requirement, and a reporting consistency requirement.
Company owner killed in fall from a ladder
The owner of a painting and tree trimming company died March 4, 2013, after he fell from a ladder while working on a tree in the Haydenville section of Williamsburg, Massachusetts. Duane Miller, 58, of Vermont, was working on a ladder and using a chain saw when he fell, according to the Daily Hampshire Gazette in North Hampton.
Submitted by David Hawkins, CTSP, consultant with Urban Forestry Solutions, Inc. in Pelham, Mass.

Climber rescued after struck-by
Firefighters in Snohomish County, Washington, rescued a tree trimmer stuck 30 feet up a tree after he was injured by a falling limb March 19, 2013.
The trimmer was cutting limbs from a tree in the backyard of a home in the north Seattle suburb of Mountlake Terrace. Neighbors who called for help reported seeing a limb the man was cutting come loose, swing around and slam him into the tree trunk. They saw his body go limp.
The man, in his mid-30s, regained consciousness but was hurt and stuck, secured with a rope system. A technical rescue team and ladder truck responded. The trimmer was able to walk down the ladder with help from firefighters.
He was taken to Harborview Medical Center in Seattle with injuries that were described as serious but not life-threatening, according to The Seattle Times report.

Tree company owner seriously injured in struck-by
Ray McArav, owner of a tree service in McKeesport, Pennsylvania, suffered a fractured neck and back March 23, 2013, when he was struck by a 5-inch diameter, 4-foot long section of a pine tree falling from about 40 feet.
Reported directly to a TCIA staff member.

Man dies in fall from tree
Russell Rusty Jones, 51, of Sour Lake, Texas, was seriously injured March 23, 2013, when he fell from a tree he was working on in Nederland. Jones was taken to Christus St. Elizabeth Hospital in Beaumont where he was admitted. He died there on March 27, according to the Beaumont Enterprise.

Tree worker killed by cut tree
A Keeseville, New York, man died March 23, 2013, after a tree he was cutting down in the woods behind his home fell on top of him. Daniel R. Laduke, 51, owner and operator of North Country Tree Service in Keeseville, was pronounced dead at the scene.
Police believe the accident occurred sometime between 7:30 a.m. and 11 a.m., when Laduke’s body was discovered by a friend. An autopsy determined Laduke’s death was caused by crush injuries to the chest as a result of being struck by a falling tree, according to The Press Republican in Plattsburgh, N.Y.
The paper reported that, according to his website, Laduke was an ISA Certified Arborist with 30 years of experience in the pruning, treating or technical removal of trees and hedges. Laduke was wearing protective gear, including a helmet, chaps and steel-toe boots when the accident occurred.
Submitted by Peter R. Landau, ASCA consulting arborist and a certified arborist with Northeast Arboricultural Associates in Accord, New York.

Tree worker hurt in fall from bucket
A tree worker who fell 25 to 30 feet from a bucket truck March 25, 2013, in Norwell, Massachusetts, was flown to a Boston hospital with serious injuries.
The worker, thought to be in his late 20s, was conscious and breathing when emergency crews arrived. A helicopter took the worker to Massachusetts General Hospital in Boston, according to The Patriot Ledger.

Tree worker hurt in fall from tree
A 57-year-old tree trimmer was taken to the hospital in serious condition March 27, 2013, after he fell from a tree while working in the Salt Lake neighborhood of Honolulu, Hawaii. The man fell 10 to 15
feet, according to the Honolulu Star-Advertiser.

Submitted by Carol L. Kwan, certified arborist and president of Carol Kwan Consulting LLC in Mililani, Hawaii.

Man, 68, killed by cut tree

A 68-year-old man was killed March 29, 2013, by a falling tree at a residence in Chattanooga, Tennessee. Emergency responders found that a man was cutting a tree on property belonging to a family member, and that the tree shifted and started falling to the ground.

The victim was unable to get out of the danger zone and the tree struck him causing massive injuries. The victim succumbed to the injuries he sustained, according to a Chattanoogan.com report.

Send your local accident reports to editor@tcia.org.

Independent Contractors

(Continued from page 47)

The IRS generally relies on the three characteristics to determine the relationship between businesses and workers. Misclassification of a worker as a nonemployee can result in liability not only for employment taxes, but also for the 100-percent penalty for failure to collect and account for employment taxes.

The independent contractor/employee question

In today’s tough economy, employers are looking for every possible way to stay competitive and get the work done. Choosing to classify workers as independent contractors can obviously be a money saver, but it’s also a huge IRS target. It is also often a proven way to wind up making expensive mistakes that cost employers more than they saved. To make things worse, there are often criminal penalties in the worst cases.

Unfortunately, short of treating everyone as an employee, there is no easy solution to employee/independent contractor conundrum. It is clear, though, that many tree care professionals fail to routinely examine their worker relationships before they are confronted with an audit (IRS, Labor Department, and more). For their part, workers rarely look beyond the anticipated tax breaks when assuming the independent contractor label.

While the IRS’s recently expanded Voluntary Classification Settlement Program may provide an answer for some tree care business owners caught up in the ongoing employee or independent contractor brouhaha, this is one area in which a little thought, a little preparation, and professional guidance, can be better than a cure.
Certificates of Insurance and Client/Subcontractor Agreements – A Cause for Concern

By Rick Weden

With the ever increasing volume of insurance certificate requests pouring into your tree care company office, Certificates of Insurance and Client/Subcontractor Agreements are a cause for concern. Many of your customers, particularly your commercial clients, may now require that you enter into contracts with them.

It may be a good time to take a closer look at certificates of insurance and contracts to get a better understanding of what they are, the impact they can have on your insurance coverage, and the potential increase in liability exposure they can pose to your tree care company.

I tend to categorize insurance certificate requests into two basic groups. First there are those that serve as a basic proof of the insurance coverage that your company has in effect on any given day. These are the insurance certificates that are most commonly requested, often by your residential clients, who are simply looking to verify that you do in fact have insurance.

The second group, and the focus of this article, comprise those certificates of insurance that are most often requested by your commercial and/or subcontractor clients and they usually are accompanied by a mandate for a contract for services, requiring that special insurance terms and conditions be added to your coverage, and evidencing these on the certificate of insurance.

Many contracts in use today include, along with specific insurance requirements, a Hold Harmless Agreement. When you sign a contract containing a Hold Harmless Agreement, you are essentially agreeing to assume all liability for your operations under the contract, and eliminating any liability to those who are hiring you to perform the work. Many contracts will further include an Indemnification Agreement, where your tree care company will agree to reimburse or compensate your customer for legal costs and damages in the event of a liability claim caused by your operations.

Many indemnification agreements not only require you to assume the cost, but also the responsibility of legally defending your client in the event of a liability claim. This is all part of an ongoing concept in two-party contracts that is often referred to as “downstream risk transfer,” where the buyer of services, i.e., your customer, wants to distance themselves, and their own insurance, as far as possible from any and all liability claims caused by your operations, as well as placing much of the burden on your company for defending any liability claims.

Fortunately, for most of tree care companies, General Liability Insurance coverage includes “Contractual Liability Coverage,” which extends your coverage to include liability that you may assume by entering into a contract with another party, i.e., your customer. Beware, however, as some general liability policies may exclude this coverage.

Now, having mentioned contractual relationships between you and your customers, what about situations where you are the hiring party, perhaps retaining the services of a subcontractor to assist you in performing a job that you have agreed to do for one of your customers? In situations such as these, you may want to take the same steps as outlined above, but in these cases, to protect your company from claims stemming from operations of your subcontractors.

A good example of this might be a tree care company that subcontracts crane work as they may not have the resources to perform these operations directly. In cases where you are hiring a subcontractor, you should strongly consider entering into contracts between you and your subcontractor. These contracts should further require that your subcontractor meet certain insurance conditions to, among other things, protect your tree care company and insulate your insurance coverage from claims that they may cause while working on your project as subcontractor.

Most contracts in use contain an insurance section that will specifically require that the hired party provide a certificate of insurance evidencing proof that all insurance requirements as spelled out in the contract have, in fact, been met. As such, your insurance certificate may have to include specific and special terms and conditions notated on it.

In many cases, it will be necessary for you to make a special request of your insurer to obtain these coverage terms or conditions before they can be stated on a certificate of insurance. Some of these may come with an added cost to your insurance, and, of critical importance, some terms being required in some contracts may be unobtainable, as one’s insurer may be unwilling to offer them.

It is therefore wise to make your insurer aware of the contract and the insurance terms a specific job may require before accepting or pricing the work. This way you can be sure that your insurer is willing to grant the special terms and conditions and you understand the added costs, if any, associated with them so that you can price your services accordingly.

Let’s take a look at some of the more
common insurance terms and conditions that you might find as a requirement on a contract.

**Additional Insured status**

Probably by far the most common special term requested is that of Additional Insured status. Simply put, what your customer is looking for is to have access to your insurance coverage for their defense and damages in the event that they are held partly liable if a situation occurs where your operations give rise to a liability claim stemming from work you performed for them. Your customer wants this because they know that even if a liability claim is caused directly by your operations, there remains a strong chance that they will also be brought into the lawsuit as a defendant by the injured party. As a result, they want your insurance to step in on their behalf and assume the full burden of any liability claims.

Use caution, however, when your customer requests Additional Insured status. Make sure that the contract that you are entering into specifies the additional insured status to your customer, as many insurers will only grant coverage to an additional insured if it is agreed to in a written contract. Failure to do this may result in the insurer denying coverage to the additional insured, which can obviously pose serious problems between you and your customer if a liability claim occurs. Be aware also that additional insured coverage can vary in its scope from one insurer to another, so be sure that the additional insured terms you are getting are in fact able to meet your client’s contractual expectations. It should also be noted that in some cases insurers will charge an additional premium to add an additional insured to your policy.

**Waiver of subrogation**

Waiver of subrogation is another common insurance requirement found in contracts. Subrogation is the process whereby an insurer, after paying a claim for their insured, will attempt to legally seek recovery for the monies they paid for the loss from another party who may have contributed to the cause of the claim. Subrogation is very common in the insurance industry and all insurance companies include language in their policies that give them rights to do this. Knowing this, many who contract services from others want to protect their own insurance policies from subrogation in the event they may be found to have some negligence after a claim occurs.

They accomplish this in two ways. First, by requiring that they be held harmless and indemnified in a contract, as mentioned above, and further, by requiring the company they are hiring to get their insurer to agree to waive their subrogation rights in the event of a claim. Many insurers will actually agree to do this, however they will want to know the details of the relationship, and the work in question before they agree to it, and may charge some additional premium to waive their rights. In some cases, insurers may even agree to waive their subrogation rights on a “blanket” basis, whereby they will waive their rights to subrogation in advance on all work projects whenever a request for a waiver might be made in the future.

When one requests a waiver of subrogation from their insurer they should always get the agreement up front before the work in question commences. An important point to note is that when waiver of subrogation is requested on a workers’ compensation policy, there is always a charge for the waiver.

**Primary and Noncontributory conditions**

Requests for Primary and Noncontributory insurance policy conditions are becoming increasingly common, most often by general contractors, but other types of business clients are becoming aware of this and are asking for it as well. When insurance coverage is considered Primary and Noncontributory, the basic idea is that the policy in question will respond first, and pay all, in the event of a claim.

Some insurers are extremely wary of adding these conditions to their policies, and as a result, may be unwilling to grant them. The reason for this is that the terms “primary” and “noncontributory” are often considered murky at best by legal definition, and tend to go against the normal intended legal concepts of a liability insurance policy. If the insurer is unwilling to agree to adding these terms to their coverage, one should consider “pushing back” to their customer, asking them to agree to remove the requirement from the contract. In these cases the common argument has been that when Hold Harmless and Indemnification terms are used in contracts, combined with one’s insurer agreeing to waive their rights of subrogation, as well as having the client as an additional insured, that this negates the need for Primary and Noncontributory language in contracts and insurance policies.

This philosophy, however, is one best taken up with legal counsel, as it is outside the realm of the insurance profession. I only note it here as I have seen this opinion used in some contract negotiations, but have yet to hear that is, in fact, iron-clad from a legal perspective. It is critical that whenever one negotiates changes to terms on contracts that all changes are agreed to in writing and “signed off” on by all parties to the contract. The use of legal counsel, at least at the onset of contractual negotiations, is also highly advisable.

**Severability of interest**

Last on our list of frequently requested insurance certificate terms is that of Severability of Interest. This is a relatively new requirement that is being encountered on some contracts. When Severability of Interest is sought in the insurance terms of a contract, the intent is for all of your insurance limits to be solely “dedicated” to your customer in the event of a claim, and not be accessible by others. This is another “murky” condition that many insurers are very fearful of agreeing to as the case law with respect to the use of this condition in insurance has been varied, with what are considered to be unknown legal outcomes.

As a general rule, insurers become very uncomfortable when they are placed in situations of legal ambiguity, which can be the case with severability language. Interestingly, some insurers have been willing to agree to allow these terms to be included on insurance certificates, but it is not the norm. This is another example where it may be advisable for you to “push back” if this provision is included in a contract you are being asked to sign, unless your insurer is agreeable to including this condition on an insurance certificate. It is also possible that an insurer may make an added charge for this if they are willing to
grant this term on your coverage. Again, remember, if you and your client agree to change the contract, get all changes in writing.

Summary
In summary, following are some observations and thoughts. First, the use of job/project contracts is rapidly becoming the norm as our business society continues to refine the process of “passing the buck” when it comes to one’s legal responsibility. If you have not yet encountered clients who require the use of contracts, it is probably only a matter of time before you do. Just remember that when you enter into contracts with clients, and thereby make the kinds of changes to your insurance such as the ones noted here, you are in effect both extending and providing insurance coverage to your customer from your insurance program. In the reverse, when you are doing the hiring, using subcontractors for example, it is you who will be asking them to extend the same conditions to your company so that in the event of a claim caused by their operations, they in turn will bear the burden rather than your company.

Additionally, when negotiating contracts with others, remain cognizant of how much additional exposure, legal responsibility, and added insurance cost you are placing on your tree care company. Is the job in question worth it? Check with your insurer before negotiating insurance terms with a customer to be sure that they are willing to grant you the terms being asked for in the contract. Understand that if, by chance, an incident occurs that gives rise to a claim under a given contract, it will be that contract document that will be scrutinized very closely by all parties to the contract. This may include their legal representatives, and the content of the contract may very well govern both the availability of insurance coverage, and the legal outcome of the claim.

In the event that you are doing the hiring, such as contracting with subcontractors, the same level of attention must be paid, only in the reverse, as it is you who in these situations are taking the steps to protect your company from the wrongful acts of others. It is important and prudent to have contracts drafted and/or reviewed by a competent attorney well versed in the contract field.

Lastly, let’s review one little known fact about certificates of insurance. From both a legal perspective and from that of the insurer, a certificate of insurance is, in fact, no more than a document that sets forth the coverage and terms of the policy as noted on the given day that the certificate is issued. An insurance certificate is not an insurance policy, nor is it considered a legal contract. In and of itself it does not promise, nor guarantee, that any of the terms noted on it will in fact be in effect in the future.

In recent years there has been a drastic spike in litigation between insurers, their agents, and their agent’s customers as a result of insurers denying coverage for claims involving contracts and “misstatements” made on insurance certificates. There have been an increasing number of situations where statements set forth on insurance certificates were not in agreement with the terms and conditions on the insurance policy that the certificate had been issued to evidence.

There are numerous cases where a company has entered into a contract, unknowingly agreeing to insurance terms and conditions that they did not have. When claims occurred under these situations, the insured was (in most cases) found to be in breach of contract by not having the insurance coverage that was required by the contract. Further compounding the problem, General Liability policies do not provide coverage for breach of contract, so the insured is left on their own, being forced to defend themselves at their own expense and possibly being held liable at their own expense for breach of contract damages.

The subject of contracts and insurance is unquestionably complex, and something that one should enter into with extreme care and attention to detail. This article provides an overview that only scratches the surface of this subject. Hopefully, the items discussed here will urge you to look closer at this aspect of your business, ask important questions, and seek professional help from the right sources as you navigate this risky area of business.

Rick Weden is a senior account executive, an ArborMAX agent, and practice leader of the Tree Care Insurance Division at Corcoran & Havlin Insurance Group, a TCIA associate member company located in Wellesley, Massachusetts. He has lectured on insurance topics as part of the Business Boot Camp at TCI EXPO as well as at the School of Arboricultural Sciences at University of Massachusetts-Amherst, and is a member of the Massachusetts Arborists Association.
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By David Lusk

Throughout many of our communities is a well-known, controversial, once popular but poorly understood tree. Loved by some, frowned upon by others, there has never been a more puzzling, enigmatic tree. How could a tree that once held so much promise as an all-purpose, compact, flowering, amenity tree fall so quickly out of favor? In the grand scheme of things, why does the story of a small tree that is gradually being removed from the urban palette even matter?

This article focuses on the implications of a polarity of forces, working for and against a community’s trees; on the consequences of forcing nature to comply with the needs of a growing city, rather than a city that complies to the needs of nature, and of how a forbidden tree can serve to teach us that nature is the wiser, more consummate teacher of beauty and sustainability.

Planted extensively in the 1980s and 1990s, the Bradford pear tree became a dominant feature in many subdivisions, on commercial properties and in parking lots. There has, locally, never been a more wildly popular landscape ornamental, amenity tree. The Bradford pear tree grows amazingly fast, yet symmetrical, with showy white flowers in the spring and, like fast food for the landscape, satisfies the desire for quick, pleasing, lush landscapes.

Initially, they helped sell houses, and decorate business properties, parking lots and downtown sidewalks. Although we have lost many of our native trees in the process of urban expansion, the Bradford pear quickly filled our need for fast-growing and affordable landscape trees that did not get too big and take up too much of the space that the larger, more majestic native oaks, hickories, maples and pines demand of us.

All was well until 15 or more years after planting an inordinate number of the ornamental pear trees started mysteriously falling apart. Structurally, the main branches of the Bradford pear develop as a fastigiated (upwardly growing) bundle of sprouts. Inside these bunched up trunk branches are internal seams and separations between branches as they grow in quick synchrony, rather than slowly interlocking such as those of an oak or hickory. With the occasional gust of 30-plus mile-per-hour winds, the weaker Bradford pears split in halves, quarters or thirds.

Not all Bradford pears are without merit. Judicious removal of the weaker trees or selective pruning of weak branches are sound management strategies for most all trees. However, there is a low tolerance for trees that too readily drop their parts and, unfortunately, the order is often made to decapitate whole tops from trees in an effort to reduce their weight and prevent them from falling apart. Ironically, the end results are countless, chain-saw blighted properties with unsightly trees struggling to re-sprout and survive the onslaught, as they are forbidden to either grow with dignity or be replaced.

The perception of the Bradford pear as a totally flawed tree has led the way for a resurgence and a faulty rationalization for the outdated and ill-advised practice of tree
tapping. As a result, a multitude of the pears, along with crepe myrtles (the easiest and most severely topped), willow oaks, cherries and maples throughout our communities are also targets. These topped trees stand as glaring reminders of an increasing desire for miniaturized, obedient, sanitized landscapes; rather than the magnificent “tree tunnel” boulevards, tree groves and woodlands past generations fostered and revered.

The possibility of tree grandeur is sacrificed for cookie cutter, sculpted, trees and shrubs, healthy trees sacrificed for containment, creativity for conformity. There is a paradoxical desire for nature but only under heavy handed constraints. With Bradford pears leading the way, the countless number of topped crepe myrtles, oaks and maples stand as testament to an all-too-pervasive disconnect from nature’s intent.

A comparative reflection on how the natural world grows, thrives and survives provides an unparalleled venue to better teach us how to create healthier, more attractive and sustainable communities. How are we expected to know or experience such things when the native trees and woodlands of yesteryear are so quickly disappearing from our neighborhoods and further from the minds and interests of younger generations? Every time the wind blows there is much to consider and learn from the quaking beauty of the forbidden trees.

David Lusk is a consulting arborist and president of Lusk Tree Care Services, Inc., a 28-year TCIA-member company located in Winston-Salem, North Carolina.

How to turn other species of trees into Bradford pears:

Topping creates internal defects that are similar to the structural flaws found in the main stems of Bradford pears. This maple sample reveals a large column of decay as a result of topping. The arrow points to poorly attached “survival” sprouts with included bark, similar to that seen inside the main stem of Bradford pear trees. Topping clearly results in internal decay and weakly attached sprout growth.
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“Extreme pruning” is still topping

When I first saw the article “Willow Top: When Is Extreme Pruning OK?” (TCI March 2013), I thought to myself, “Just what the tree industry needs – an article extolling the virtues of topping a willow.” After reading it, I concluded that Howard Gaffin is both a charming writer and probably an experienced and ethical arborist. I am aware that many good arborists choose to break the “no topping” rule from time to time, under certain circumstances. And that’s not really the problem, nor is it the issue in my mind. I put it in the same category as parking in the handicapped zone or speeding on a residential street. Not legal, not right, but done by many good people from time to time.

The issue is whether or not justifying topping a willow as a “bent rule” – claiming it is in accordance with the A300 standards, with the cuts to “a node” being good cuts, and with a promise to revisit epicormic shoots – makes it OK. It is not OK, because the euphemism of “extreme heading” lends itself to abuse by many of the newer, less experienced and less ethical arborists who may be reading the magazine. If tree topping only accounted for 10 percent of the tree work being done across the nation, it would be no big deal. But, in reality, 80 percent or more of the tree work done nationally is still topping – unjustified, damaging and dangerous to future owners and climbers of the tree.

It shows poor judgment because, intended or not, it does indeed “condone or promote” topping just by being in print. And it also shows bad judgment on the part of the magazine editors, since by publishing it, they lend credence to the notion that it is anything other than tree topping. I’m sure it was also unintended.

In 1989 Bobby Barcia, a 12 year old boy in Florida, climbed a previously topped tree. One of the regrown limbs broke out while he was using it to lift himself up into the tree. He fell and was rendered quadriplegic. They sued the property owner for keeping an attractive nuisance on the property and won. They would have sued the tree topper but he could not be found. Hopefully none of the grandkids in the willow yard will use it as a climbing tree. But if they are hurt, the blame will fall squarely on the shoulders of the arborist who knows better and should have acted accordingly.

My dearest wish is that those arborists who choose to top from time to time, keep it to themselves rather than justifying it publicly. The world will be a better place for trees.

Cass Turnbull
PlantAmnesty founder/president
Seattle, Washington

Publishing article condones “extreme pruning”

After originally reading Howard Gaffin’s article, I found myself admiring his foresight and ingenuity – creative indeed. Though unique, I have two objections that concern me.

Firstly, no matter the circumstances that surround any experimental pruning practice, as Mr. Gaffin used on a client’s property, it remains true that as professional arborist we must see his results as more of an anomaly that can only be used where public safety is not of concern, and the impression we give the general public is inconsequential. Remember, the profuse new growth may obscure decayed areas, cracks and weakly attached sprouts, demanding judicious and timely assessments to reduce possible hazards. In addition, for those of you that attended Dr. Shigo’s seminars you may recall his disdain for desecrating the form of the tree – discounting proper Pollarding of course. His seminars clearly pointed toward the philosophical standpoint of “Right tree in the right spot.”

And, lastly, the factor not taken into consideration with this article remains the persistent fallback that this type of pruning can have on a wider scale. In Connecticut, at least, there is an endless number of homeowners and lawn guys that indiscriminately “trim trees.” It is consistently challenging enough for those of us here in this state to keep illegal companies out of the realm of arboriculture. The very last thing that we need as licensed arborists are professionals condoning pruning types (somewhat untraditional) that will be copied by those who have never even picked up a book on tree care. Can we at least be pragmatic about this? It belongs in the world of experimentation, not on my...
1. Lion’s-tailing a branch…
   a. increases the lever and torque on the branch attachment
   b. decreases torque on the branch attachment
   c. can increase or decrease torque, depending on other factors
   d. has no effect on the branch’s torque

2. Pruning to provide a line of sight to street signs or vehicular clearance along roads is an example of what type of pruning?
   a. thinning
   b. reducing
   c. raising
   d. None of the above

3. Of various accepted methods for pruning trees, the best pruning method when the objective is to reduce torque on the trunk is…
   a. reduction pruning
   b. raising
   c. thinning
   d. either b) or c)

4. If the wind exerts 2,000 pounds of force on a tree’s canopy and tree’s lever is 35 feet off the ground, there should be _____ foot-pounds of torque at the base of the trunk.
   a. 17,500
   b. 35,000
   c. 70,000
   d. 4,000,000

5. Which of the following statements are generally true for topping?
   a. It increases the chance of decay forming at internodal cuts
   b. The water sprouts that start growing from the internodal cuts often have poor branch attachments and quickly return the tree to its original size
   c. The wind load is reduced when a tree is first topped
   d. All the above

6. Topping and lion’s tailing decrease the long-term risk of failure by reducing the wind load on a tree.
   a. True
   b. False

Certified Treecare Safety Professionals can earn one (1.0) “professional development” CEU toward their recertification by taking this short comprehension quiz that is tied to this month’s safety articles in this issue of TCI Magazine. The CTSP CEU Quiz is a bimonthly feature in TCI. This quiz is based upon information in the article: “Pruning to Reduce the Risk of Tree Failure” by Brian Kane, page 42.
client’s property. In my home town I do not have the time to run around and reeducate homeowners and landscape companies that “heard it’s OK to prune the tree this way through a magazine for arborists” — especially when our state can’t even enforce the arboriculture laws on the books right now and, locally, my home town can’t even plant trees correctly.

Dave Neal
ISA Certified Arborist
Woodbury, Connecticut

Applause for the April 2013 issue

To the Tree Care Industry Magazine crew: Congratulations to all of you for the superb April 2013 issue. I invested a couple hours reading a varied collection of articles which were all timely, well-written and directly related to work I do every week. I especially enjoyed Don Blair's depictions of how tree work was done by early pioneers in the field and Chris Girard's survey of recent innovations in chain saw design. Keep up the good work!

Doug Ludy
Ludy Tree Care, Inc.
Chapel Hill, North Carolina

Kudos to TCI Magazine

Thanks for renewing my subscription. I love the magazine. Educational in all respects – diseases, safety, new tools, technology, etc... a worthwhile publication!

Chuck Berschinski, field biologist,
Berschinski Biologies
Mahomet, Illinois

Questionable photos...

There is a photo in the April (2013) TCI Magazine of a St. Croix Tree Service crew taking down a tree over a garden with a two-man bucket truck (pg. 48). It is clear that they are using a two-person version of the “cut and chuck” technique, where one worker handles the branch and the other makes the cut with a chain saw. Does this practice violate any ANSI standard? I can’t find one, but it makes me cringe, kind of like when I see the ad for the stick chain saw that clamps on a skid-steer bucket. Correct me if I’m wrong, but two-man buckets are designed for utility work, not tree work. As the saying goes, “When you have a hammer...”

The next article on chipper safety includes a photo on page 51 that took me several tries to interpret correctly. I was trying to make sense of what I was seeing, which was the caption, “Feet do not pass this red line,” with the red line about two-thirds of the way in the feed tray! Finally I noticed the bold red line around the border of the hopper, on the red chipper, which was only being pointed to by the smaller red line I thought was the main line. Might be worth publishing a clarification, using a different color chipper, and different color pointer lines! I honestly thought you were saying it’s OK to stick your feet part way in.

Peter Kaseman-Wold, Certified Arborist
Goodland Tree Works, Inc.
Madison, Wisconsin

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Letters & Emails

(Continued from page 64)

Editor’s Note: There is no OSHA or ANSI standard that precludes two arborists working side-by-side in a two-person bucket, so long as they are both using their fall protection and the boom’s lift capacity isn’t exceeded by the weight of two people plus the cut piece. Although more commonly used in line construction, two-person buckets do pop up in tree care work here and there. Finally, we agree with your comments on the chipper picture. We should have chosen a different color for the bold lines.

Circle 23 on RS Card or visit www.tcia.org
What I had Forgotten about Trees

By Chad Peevy

The accompanying picture of my son, Memphis, may look staged, but it is not. My love for trees is certainly something I will intentionally share with him, but the wisdom of them he must come by on his own. Appearing to be off to a good start, he taught me something I had forgotten along my way.

My son does not know he is touching a black walnut. He does not see the limbs brushing the roof, realizing they need to be pruned. His is unaware that last year Hurricane Sandy ripped out one of the leaders and I have yet to climb up there and remove the ripped stub. What he does understand is the awe of this individual. Something so much greater than him, he felt compelled to engage. And so he did, as he walked across our yard to do so last fall, I snapped this picture.

As I watched Memphis run his fingers over the bark and then turn at me for laughter, I thought through my smile about how long it had been since I touched a tree for the sole sake of thanking it. I involve myself with trees daily, they are my life and my livelihood; my knowledge of them pays the bills and puts food on the table. Yet I have been overlooking their most basic gift – the joy of majesty.

I have come to see trees as problems I am asked to fix, as infrastructure I have to maintain, as arguments I have to make for retaining or replacing them. I write reports on trees, I photograph them, I talk about them, I lecture on their behalf, and I train others on how to care for them. I have no doubts about my love for trees, but unaware to me, my relationship with them had become routine. I have neglected their souls in my study of their bodies.

Yes, it had been too long, far too long, since I had touched trees – really and truly reached out to one. I have been a doctor to trees and not a parent, a mechanic and not a patron, a scientist and not an artist. So it was with great pleasure that my one-and-a-half-year-old son brought me back to where it all began.

Since taking this picture and the epiphany that it was, I have made a determined effort to follow my son off trails, off sidewalks, and even through our own backyard to touch trees. He will put his hand out, brush the bark and look at me with a satisfied grin. As I return the pleasantries, I feel proud for him. Not for what I taught, but for what he understood on his own. That trees are individuals, worthy of a handshake, deserved of a greeting. In fact, he is my new teacher, my new mentor to an understanding I seem to have forgotten. We explore the forests, urban and otherwise, together amongst the trees.

Chad Peevy is grounds manager at Old Dominion University in Portsmouth, Virginia, and a Certified Arborist, Certified Tree Risk Assessor and Certified Horticulturist.

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TCI will pay $100 for published “From the Field” articles. Submissions become the property of TCI and are subject to editing for grammar, style and length. Entries must include the name of a company and a contact person. Send to: Tree Care Industry, 136 Harvey Road, Suite 101, Londonderry, NH 03053, or editor@tcia.org.
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