



the arborthority

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What is a Registered Consulting Arborist?

Registered Members of the American Society of Consulting Arborists (ASCA) are dedicated to the enhancement of the community and the protection of our environment. They are the preeminent authorities on matters related to trees and plant life—ensuring through their expertise and objectivity the safety, preservation, functionality and beauty of our natural surroundings.

Whose Tree Is It?

One of the biggest causes of friction among neighbors is misunderstanding about boundary trees. Who owns what and what are the rights, duties and obligations of each tree owner? Most people have no clue what the law says about boundary trees or what to do when a disagreement arises.

Although I am not an attorney and I cannot give legal advice, I have served as a tree expert in several high profile cases involving boundary trees. As an appointed expert, my opinions have assisted the courts in deciding many of these



types of cases. The purpose of this article is to offer some of my own personal insights about boundary trees and to give you some basic understandings of the underlying issues involving boundary trees and their owner duties and responsibilities.

Disclaimer: If you need legal advice, contact an attorney.

What is a boundary tree?

A boundary tree is any tree in which any portion of the above ground parts of the buttress roots, buttress or main trunk or stem intersects one or more property boundaries. There may be different interpretations of this depending on:

- Local laws
- Whether or not the tree arose naturally or was planted

- Who planted the tree
- Whether or not the tree grew into the boundary over time
- Who has maintained the tree in the past
- Only a licensed surveyor may determine if a tree is a boundary tree or not

What advice do I offer to neighbors with disputes over the care of boundary trees?

I think the best advice I can give is to communicate with your neighbor, share concerns of both the benefits and liabilities that the tree presents and work hard to reach mutual understanding of who owns what, who is responsible for what and work hard to resolve any differences in opinion.

Whether they like it or not, neighbors must work together for the benefit of each other. It may be a situation tailor-made for a

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Fall Foes Bring Fall Woes



Ash tree being treated for fall webworms using micro-injected chemotherapy.

"The most effective treatment for fall webworm is to trunk micro-inject your tree with imidacloprid insecticide. The treatment lasts for about 2 years."



Seedless sweetgum being devoured by fall webworms.

It seems this year's unusually wet weather conditions have given added potency to certain fall pest problems. I've seen fall webworms everywhere and it seems that no tree is immune to their ravaging appetite. So far I have found them all over the Southeast on sweetgum, birch, black cherry, oak, walnut, pecan, elm, persimmon and hickory. Fall webworms are among the most polyphagous insects in the world, feeding on over 630 different

plant species. In addition to the ones just mentioned, it also finds fruit trees, sourwood, redbud, cottonwood, alder and willow particularly tasty. In the large numbers I have seen this year, these voracious leaf eaters are devouring entire tree canopies in just a couple of weeks.

This insect was introduced into the U.S. from Yugoslavia back in 1940's and has now spread throughout North America. From Tennes-

see southward, there are two generations per year. The first appearance of fall webworms start as early as late July to mid-August and the first webs appear later in the month. Most people don't notice them because they only feed on the upper surface of leaves and the webs are inconspicuous. A few weeks later, they get a



little more fat and sassy where they consume entire leaves. Around the first of September the nests begin to engulf entire branches and limbs and the larvae feed on the leaves as they spread. Eventually, they eat all the leaves in the web and start to forage on other parts of the tree— they will even leave the tree to feed on other nearby plants. After six weeks of feeding, the furry little minions leave the nest and find a nice quiet place to

build their brown cocoons under some leaf litter or mulch where they spend the winter months. These pests are unsightly and can be a real nuisance around buildings, patios, driveways and walkways— especially when they are foraging or when they leave the nest to pupate. They can severely weaken trees that are stressed or damaged in some way, and they can damage fruit and pecan production when crops begin to ripen.

The most effective treatment for fall webworms is to trunk micro-inject your tree with imidacloprid insecticide. The treatment lasts for about 2 years. Not only will it kill fall webworms, but will also protect your tree from most other insects pests for a very long time. You won't find this treatment at the local store so you need a professional to apply this type of treatment to your tree.

Please let me know if I can help you get the job done.

-MAS

Ready or Not- Emerald Ash Bore Is Here

Every few months now I receive reports that the devastation caused by Emerald Ash Borers (EAB) has spread to more counties in Tennessee. It was found just a few years ago in Knoxville and it is only a matter of months until this pest reaches Nashville. This is of great concern to land owners, residents and property managers because ash trees comprise a huge portion of

the tree canopy here. In Tennessee's forests, 261 million trees will become infested with EAB causing over \$9 billion in damages. 10 million ash trees are currently growing in our urban areas, and this insect will create another \$2 billion in management expenses. This insect will kill all ash trees, healthy or not. The only way to effectively prevent your ash tree from being

killed by EAB is to preventively trunk micro-inject every two years with imidacloprid insecticide. I have all the special licenses and certifications that are needed to administer these treatments. Call today and I will be happy to help you save your ash trees.

- Marty Shaw, RCA #470



Adult Emerald Ash Borer grazing on an ash leaf.

What Is Your Tree Worth?

Tree values may need to be appraised for a variety of reasons. Trespass, traffic accidents, eminent domain, and insurance claims are just a few situations where an appraisal may be needed. Tree appraisals require specialized knowledge and experience because tree appraisals may depend on the income trees generate, the cost to reproduce their function and use, or their contribution to the market value of the real-estate on which they grow.

What is a tree worth? That may sound like a simple question and most people would think that the question would yield a quick and easy answer.

In reality, this is not a simple question and there are no quick and easy ways to answer it. In fact, one of the most frequent services that Registered Consulting Arborists are assigned to perform is that of professional plant appraiser. We must answer the question- what is the tree worth. The answer to the question depends on who is going to use the appraisal, what they will use the appraisal for, and which methods can be used to appraise the tree.

Broadly speaking, there are three approaches to tree value- they are income, market comparison, and cost approaches. These different valuation

approaches represent all of the various economic models that are acceptable under universally accepted appraisal standards. Whether you are appraising real-estate, antique cars or any other thing of value- (including trees) one of these three approaches must be used.

To give you an idea of just how this works with trees, let's look at an example from each approach. An Income approach to tree appraisal might be the value that one can derive from harvesting standing timber and selling that timber to a saw mill. So the value of the tree is what the sawmill pays minus the expense of cutting and transporting the

"The only way to effectively prevent your ash tree from being killed by EAB is to preventively trunk micro-inject it every two years with imidacloprid insecticide. As stated earlier, this treatment requires special state licensing and certification.."



Appraised Value of trees can be approached as Income, Market or Cost models.

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Bacteria Scorches As Summer Heats Up



Bacterial leaf scorch is a disease that is spreading faster than ever before. This chronic disease is caused by a bacterium, *Xylella fastidiosa*, that thrives in the sap of many tree species and clogs their water-conducting vessels. As the bacterium multiplies, water availability becomes more limited. As the tree suffers water stress, especially in mid to late summer, it causes leaves to scorch and turn

brown or discolored at the leaf margins. Often, interior portions of the leaves near the veins remain green with a purple or yellow halo between the brown and green por-

through the entire crown. Infected branches decline for several years following the onset. Leaves will be sparse but look normal in the spring, and later show symptoms. The crown

becomes progressively more sparse as the tree declines. Eventually, infected



tions as seen here on this red horsechestnut. The bacterium is spread by leafhoppers, spittlebugs and other sucking insects.

trees will succumb from the disease without proper management.

Bacterial leaf scorch has a wide range of hosts, including many herbaceous and woody species (goldenrod, alfalfa, clover, blackberries). Trees most at risk are elm, sweetgum, sycamore, dogwood, mulberry, red maple, sugar maple the red oaks- pin, northern red and scarlet oaks. Symptoms usually appear on one branch and progressively spread throughout the crown. On large trees, it may take five to 10 years for the disease to progress

Bacterial leaf scorch is often mistaken for fungal diseases like oak wilt and Dutch elm disease. The difference is that the bacterial scorch and decline occurs progressively over several years rather than occurring over a period of two or three months as with the fungal diseases. Sometimes bacterial leaf scorch is difficult to diagnose. Early fall color often coincides with leaf scorch. A plant tissue lab analysis may be performed to confirm a positive diagnosis.

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log and the cost of reforesting the land from which they came. In the Market Comparison approach, a real-estate appraiser would need to examine the tree's characteristics, calculate the benefits that the trees are providing to the land, and determine how much more a typical market buyer would be willing to pay for that real-estate with the tree, than would the exact same buyer for the exact same piece of property without the tree. This is a monumental task for the real-estate appraisers because most real-estate appraisers are not qualified to opine on the benefits of trees or how those benefits might contribute to the land as a whole. That is where expertise of a professional plant appraiser can be employed to assist the real-estate appraiser.

In the Cost approach, the value of a tree is measured by the cost to buy, install, and guarantee that the tree will grow to maturity. There are three ways to determine cost. The first way is to replace the tree with the exact same tree bought from a nursery. This works just fine if the tree is less than 5 inches in diameter and is a commonly available species at the local nursery, but replacement cost method does not work very well if your tree is larger or of a species that is not readily available for purchase. In that case, replacement may not be a reasonable option. To accommodate this problem, the Council of Tree and Landscape Appraisers (CTLA) developed the Trunk Formula Method. In this Cost

approach method, larger trees are measured at the trunk and compared with a nursery tree measured at the base. The cost to purchase, install and guarantee the cross sectional area of the nursery tree is converted into per square inch unit cost and applied to the larger tree.

That tree is then depreciated for its species, condition and location. Sometimes ancillary features of a site are damaged or the shaped terrain of the site is damaged so the cost to cure the site near to its original condition is needed. In Cost of Cure method, estimates are obtained to restore ancillary features and trees are architecturally selected and designed to restore the benefits of what was lost.

Tree appraisal can be very complex and exacting. There are many who would offer an opinion of value, but very few know the reasons and theory of the various kinds of value or why trees have any value at all. When it comes to litigation, this is extremely important.

All of these approaches and methods are detailed in a book called the Guide for Plant Appraisal. This guide was originally developed by the CTLA back in the 1970's and is now in its 9th edition. It is the authoritative text when it comes to appraising amenity trees. I have performed hundreds of plant appraisals using the various approaches contained in the guide and am an authority on plant appraisal. If you have a situation that requires this type of expertise, please do not hesitate to call:

Marty Shaw RCA, #470 at
615-794-4377.

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good consulting arborist to offer sound, independent and objective advice.

What are some acceptable resolutions over disputes involving borderline trees?

Every situation is as different as are the people who live side by side as neighbors. I don't know if I have had two boundary tree disputes that were the same, and solutions have all been uniquely different. I think that by understanding the relevant facts, taking out the emotional stuff that invariably creeps into these situations, and being candid about the pluses and minuses of escalating a dispute, we can help both sides see more clearly where there are opportunities to resolve the conflict. The alternative can be much more costly in so many ways that most people (when they know that) want to work together to find a solution before they do something that they cannot take back.

Be aware that boundary trees can be a source of great conflict among neighbors and that resolving conflict is not always easy—especially when emotions run high. These situations often require skills and understanding of arboricultural competence and skills working with people. Sometimes getting the point across to unreasonable people requires an ax and hammer and sometimes it only requires a velvet glove—it always requires good, independent, and objective thinking and sound judgment. Every situation is different.

-MAS



"A Better Perspective From A Higher Source"

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There is no cure for infected trees. Diseased trees can be effectively managed by using trunk microinjections with antibiotics; however, treatments must be made every year and these treatments only cause a remission of the disease symptoms—they are not a cure. Pruning is necessary for proper disease management. Removal of infected branches will limit disease spread and improve the appearance of your tree. Additionally, regular mulching and routine irrigation during periods of drought can reduce

stress and delay scorch development. Fertilization has no effect on the diseases, however, if there are nutrient deficiencies, the addition of soil test based fertilizers can reduce stress.

Without proper management, you can expect to incur the expense of removing trees that are gradually lost over time. Eventually, the remedy for unmanaged trees that are infected with bacterial leaf scorch is replacement with disease resistant selected species. One option is the establishment of a new tree while the old tree still contributes aesthetic and functional benefits to the landscape. That way, when the infected

tree is removed there will already be a new one there to take the place of the tree that is lost.

With judicious management, the life and quality of your tree can be excellent for many years to come. I am available to help you decide on the best management strategies and I can help you decide what approach should be taken before the infected tree dies.

Give me a call at 615-794-4377 to set up an appointment.

Marty Shaw, RCA #470