



TREES & THE LAW

BY JULIAN DUNSTER

Tree Risk Assessment: Changes You Need To Know

Assessing tree risk has been debated for many years.

In the past the term, "hazard tree assessment," was used to describe the process. That term has been replaced with "tree risk assessment," because it better reflects what actually takes place. A hazard is something with the potential to cause harm. Clearly, that potential cannot be known until a risk assessment has been undertaken. Not all trees have the potential to cause harm. It depends on many factors, not the least of which is whether or there is a target, and if there is, what the uses of that target include.

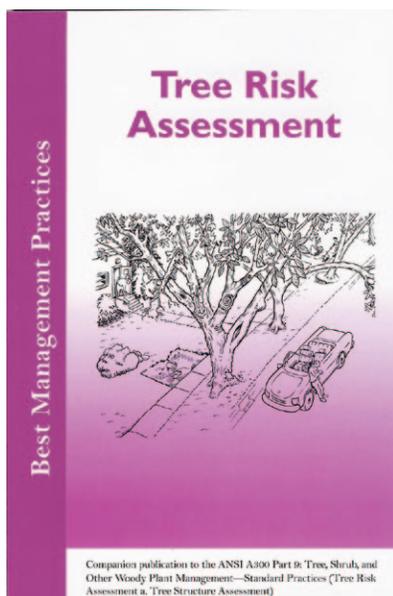
Also, although it may be a hazard or have hazardous components, that does not automatically mean the tree has to be removed.

By contrast, risk assessment not only examines the risk issues but also allows for prescription of risk mitigation options, which if implemented correctly, can reduce the risk to an acceptable level.

Formal tree risk assessment training took a big move forward in 2005 when the Pacific Northwest Chapter of the International Society of Arboriculture (PNWISA) introduced its Tree Risk Assessment Course and Exam (TRACE) programme. The TRACE course was sponsored by WorkSafe British Columbia and accredited by them as an accepted industry standard. This course, which I had the privilege of designing and implementing, was the first formal tree risk training and exam based course in the world, and has now been taught across North America and in Hong Kong. There are about 1600 PNWISA Certified Tree Risk Assessors worldwide.

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As the issue of tree risk became more prominent, other groups started to become more involved. There are two new documents of importance for tree risk assessors. Firstly, there is a new American National Standards Institute (ANSI) document. This is *A300 Part 9: 2010; Tree Risk Assessment - Tree Structure*.



The new **Best Management Practices (BMP): Tree Risk Assessment**, produced by the International Society of Arboriculture (ISA), was released late in 2011.

While not extensive in scope it does lay out some important concepts including level of risk assessment intensity.

Level 1 is a limited visual assessment such as walk by, drive by, or fly by (utility lines). It is a quick and simple overview and is not intended to be a detailed tree-by-tree review.

Level 2 is a detailed visual assessment of each tree, while Level 3 includes all aspects of Level 2 but adds allowance for advanced assessment methods. Copies of the new ANSI standard are available from the Tree Care Industry Association (www.tcia.org).

The second document of note is the new *Best Management Practices (BMP): Tree Risk Assessment* produced by the International Society of Arboriculture (ISA). This was released late in 2011 and builds on the ANSI standard. The BMP explains in a lot more detail how these three assessment levels can be implemented, and lays out a methodology for conducting a defensible risk assessment. At 81 pages, this is the largest BMP ever produced by ISA, and contains a wealth of information submitted and compiled by knowledgeable risk assessors from around the world. Copies are available from the ISA (www.isa-arbor.com).

Finally, the ISA is working on a Tree Risk Assessment Qualification. This new course, which is expected to be rolled out in the spring of 2013, is being designed as an international tree risk assessment program. People who are already Certified Tree Risk Assessors will be assimilated into the new program.

Over time, as more people work on tree risk assessment there will be additional changes in concepts and methods. In the past seven years there have already been some major shifts in the way we assess tree risk, and new methods and technologies are constantly evolving. For now, having access to the ANSI standard and BMP will allow for awareness of the changing Standard of Care in arboriculture and urban forestry.

*Julian Dunster is not a lawyer and the above should not be construed as legal advice. If you have an issue requiring legal advice please consult a lawyer. Additional case law can be found in the book *Arboriculture and the Law in Canada*. Copies are available from Julian Dunster. www.dunster.ca*

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