

Arboriculture 101

Fall 2025

A REVIEW OF
PERTINENT
STATUTES AND
REGULATIONS FOR
CERTIFIED
COMMERCIAL
SUPERVISORS
AND ARBORISTS



This presentation is based on an informational booklet titled “Pertinent Pesticide Statutes and Regulations for Certified Commercial Supervisors and Arborists (Revised to February 2023)”

Found on the following web site:

<https://portal.ct.gov/deep/pesticides/arborist/arborist-examination-reference-materials>

This publication is made available from the Department of Energy Environmental Protection, Bureau of Materials Management & Compliance Assurance, Pesticide Management Program, 79 Elm Street, Hartford, CT 06106. This presentation includes subject matter pertinent to persons obtaining an arborist license, but is not intended to be all inclusive of pertinent statutes and regulations of importance to arborists in Connecticut. Individuals with questions regarding these statutes or any regulations are advised to contact the appropriate state agency for more information.

Where did the CT arborist law come from

- ▶ The Arborist law evolved from the "tree expert" law
- ▶ How **FIFRA** and the Pesticide Control Act tied in to it

The Arborist Exam-Elicensing

See Pesticides Management Program Webpage at
<https://portal.ct.gov/DEEP/Pesticides/Pesticide-Management-Program>

See Arborist License page at
<https://portal.ct.gov/DEEP/Pesticides/Arborist/Commercial-Arborist-License>

The exam process through E-Licensing

- ▶ 1st Part --- Written Exam
- ▶ 2nd Part --- Tree ID and Oral Exam
- ▶ Check the DEEP Pesticides website for updates on e-licensing

Ten Topics for Arborist Oral Exam

5

- ▶ Licensing/Records
- ▶ Safety
- ▶ General Tree Work
- ▶ Cabling and Bracing
- ▶ Tree Physiology
- ▶ Insects
- ▶ Diseases
- ▶ Abiotic Disorders
- ▶ Nutrient Management
- ▶ Pesticides

Overview of Stats and Regs

- ▶ The Pertinent Stats and Regs Booklet
- ▶ Arborist Statutes and Regulations
- ▶ Arboriculture
- ▶ Arborist License, Arborist Business
- ▶ Definitions and terminology
- ▶ Two Classifications of Commercial Pesticide applicators
- ▶ Supervisory Certification-duties and responsibilities
- ▶ Operational Certification-Jr Operator
- ▶ Three pesticide business requirements: registration, records, notification
- ▶ Other Statutes and Regulations-the side issues you might need to know about

What do arborists do?



Photos: Alstead Tree and Shrub Care Co



Photos: Almstead Tree and Shrub Care Co

Pruning



Photos: Almstead Tree and Shrub Care Co



Photos: Almstead Tree and Shrub Care Co



EAB Treatment

Photo: Almstead Tree and Shrub Care Co

Air Spade



Photo: Almstead Tree and Shrub Care Co

Cabling



Photo: Almstead Tree and Shrub Care Co

Resistograph



14

Photo Almstead Tree And Shrub Care Co



Connecticut General Statutes

15

- ▶ Chapter 451- includes the arborist statutes
- ▶ CGS Sec 23-61a thru CGS Sec 23-61m

What is arboriculture?

Sec 23-61a

“**Arboriculture** means any work done for hire to improve the condition of fruit, shade or ornamental trees by feeding or fertilizing, or by pruning, trimming, bracing, treating cavities or other methods of improving tree conditions, or protecting trees from damage from insects or diseases or curing these conditions by spraying or any other method...”

The General Statutes simply state that it is unlawful to practice arboriculture without a license

Sec 23-61b (a). Licensing for arboriculture. “No person shall advertise, solicit or contract to do arboriculture within this state at any time without a license ...except that any person may improve or protect any tree on such person’s own premises or on the property of such person’s employer without securing such a license...

The arborist must know about proper arboricultural practices including the use of pesticides

CGS Sec 23-61b(b)

(b) The commissioner shall require the applicant to show upon examination that the applicant **possesses adequate knowledge concerning the proper methods of arboriculture** and the dangers involved and the precautions to be taken...**together with knowledge concerning the proper use and application of pesticides and the danger involved and precautions to be taken in connection** with their application...”

The arborist is a certified commercial pesticide applicator
(Supervisory)

19

Sec 23-61b (b) “Any licensed arborist shall be considered to be a certified applicator under section 22a-54 with respect to the use of pesticides...”

The Arborist Business

20

Must be registered with the Commissioner of DEEP

Renewed once per year, year ends August 31, annual fee \$240

Must employ an arborist to be an arborist business

If the company applies pesticides also, there is only one business registration for both pesticides and other arboriculture work.

Must keep records including specific information for pesticide work and also for arboriculture work not involving pesticides.

Arborist Regulations

21

- ▶ Regulations of Connecticut State Agencies (RCSA) for arborists
- ▶ RCSA Sec 23-61a-1 thru Sec 23-61a-7

Arborist Regulations

22

- ▶ RCSA Sec 23-61a-3 Licenses

- ▶ (a) an initial license is valid for five years and will need to be renewed by January 31 of that fifth year

- ▶ What does this mean?

RCSA Sec 23-61a-3(b) --- For each organization there shall be at least one licensed person actively engaged in supervisory duties for each ten unlicensed personnel actively engaged in arboriculture

Arborist Regulations

23

- ▶ RCSA Sec 23-61a-6 Hearings, suspension and revocation
- ▶ For violating Arborist Statutes and regulations
- ▶ For engaging in substandard or improper workmanship
- ▶ For engaging in fraudulent practices regarding work to be performed.

Chapter 441

The Pesticide Control Act

CGS Sec 22a-46 thru 22a-66j

- ▶ Think like a supervisor-that is, a certified commercial supervisory pesticide applicator
- ▶ CGS Sec. 22a-46 thru 22a-66j. Review sections that pertain to arborists and arborists as supervisory pesticide applicators and pesticide application businesses and their associated regulations

So you want to spray trees?

25

Why you need to know about using pesticides for the care of trees

- ▶ CGS Sec 22a-54. Pesticide applicators,... (h)
- ▶ “...The commissioner shall prescribe standards for certification of arborists, as defined in subsection (a) of section 23-61 a, with respect to the application of pesticides. The standards shall provide that in order to be certified, an individual shall be competent with respect to the use and handling of the pesticide or class of pesticides covered by such individual’s application. “

Understanding the terminology related to the Pesticide Control Act

- ▶ Sec 22a-47 Definitions
 - ▶ Pesticide
 - ▶ Restricted-Use Pesticide
 - ▶ Certified applicator
 - ▶ Commercial applicator
 - ▶ Site
 - ▶ Place
 - ▶ Junior Operator/Operator
 - ▶ "Senior Operator" -No
-
- ▶ See also RCSA Sec 22a-66-1 and 22a-66-5

There are two classifications for commercial pesticide applicators

- ▶ Supervisory (The supervisor)
- ▶ Operational (Operator/ Junior Operator)
- ▶ Currently, every “Operator” is understood to be a “Jr Operator”

What classification of commercial applicator is the Arborist?

Supervisory Applicator (Arborist)

29

- ▶ Duties and Responsibilities
- ▶ Records
- ▶ Written Instructions

What exactly does a supervisory (arborist) pesticide applicator do?

- ▶ Makes decisions about pesticide use
CGS Sec 22a-54 and RCSA 22a-66-5(f)
- ▶ May perform commercial pesticide applications
CGS sec 22a-54 and Reg 22a-66-5 (f)
- ▶ Keeps records of pesticide use and supervision
CGS Sec 22a-58 and 22a-66-5(i)(5)
- ▶ Supervises (junior) operator on site or with written instructions
RCSA 22a-66-5(i)
- ▶ Submits annual use summary to DEEP CGS Sec 22a-58

What RECORDS must a Supervisory pesticide applicator keep?

- ▶ The arborist must keep records for each application of a pesticide. The record includes five points:
 1. Names and certification numbers of supervisor and junior Operator(s)
 2. Kind and amount of pesticide used
 3. Date and place of application
 4. Pest treated for **Who? What? When? Where? Why?**
 5. Crop or site treated

RCSA Sec 22a-66-5(l)(5) and CGS Sec 22a-58, keep written instructions as a permanent record

If Written Instructions to Jr operators are used, what points need to be included?

- ▶ Five basic points
 - ▶ Certified supervisory and certified operator name and certification number must be listed
 - ▶ Pest to be controlled
 - ▶ Pesticide to be used
 - ▶ Directions for use of the pesticide
 - ▶ Other information necessary from the label
 - ▶ Be available if and when needed

Who? What? When? Where? Why? How?

Under “Written Instructions” directions for use means—

33

- ▶ Place to use the pesticide
- ▶ Directions for dilution, rate to mix at, rate to use at
- ▶ Site or crop to treat
- ▶ Method of application to employ

The Junior Operator works under the supervision of the Arborist

- ▶ Only works under supervision with the Supervisor at the site of the pesticide application or by written instructions
- ▶ Can read a pesticide label and follow written instructions provided by the supervisor
- ▶ Assists with, or may perform pesticide applications or handle open containers (examples: a hose dragger, flagger or help to mix pesticides in a use tank).

What are the three main requirements for pesticide application businesses?

35

- ▶ The Business Registration
- ▶ Business Records
- ▶ Notification

What is the Pesticide Business Registration?

- ▶ Certificate of Registration (One Business Registration form for arborists –indicates commercial pesticide work on form and certified applicators)
- ▶ Must have a Licensed/certified person on staff
- ▶ 1-year registration period (Sept 1 to August 31)
- ▶ Report any changes to DEEP in writing
- ▶ “B” number is assigned to your business

What RECORDS need to be maintained by the Pesticide Application Business?

37

- ▶ Keep the Pesticide Application Record for 5 years
- ▶ Must have Names and EPA Registration Numbers of pesticides used by the business
- ▶ Must maintain names and certification numbers of all commercial pesticide applicators employed
- ▶ Must maintain written instructions, because it's part of the supervisor's pesticide application records (RCSA Sec 22a-66-5(1) (5))

Business Notification requirements ...as easy as A,B,C...

- ▶ What type of notification must be made to
 - ▶ A. Customers
 - ▶ B. Abutters
 - ▶ C. The General Public

...concerning pesticide applications?

Business Notification Requirements

39

- ▶ A. Potential Customer information
- ▶ B. Notice to persons (abutter) listed on the Pre-Notification Registry
- ▶ C. Posting

What information must be supplied to a Potential Customer?

- ▶ This information must be given before entering into an agreement to apply a pesticide to a customers property
- ▶ Provide information describing what the pre-notification registry is
- ▶ Provide pesticide label information for the potential customer

What is Connecticut's PRE-NOTIFICATION REGISTRY?

41

- ▶ The *official* list
- ▶ An abutter is on the official list or may become a Pre-notification abutter mid-year
- ▶ *Continued...*

How do you provide PRE-NOTIFICATION to an abutter?

42

- ▶ Make 2 attempts by any means
- ▶ Place a notice on the door if all attempts fail and you must do the pesticide application
- ▶ Keep a record of any notification attempts

How do you POST a pesticide application?

43

- ▶ The Pesticide Posting Sign has specific requirements
- ▶ The applicator posts the sign at the time of the pesticide application
- ▶ 12" to 48" high, 1 to 5 feet from road or sidewalk
- ▶ Located at points of entry and every 150 feet of road frontage

Regulations of Connecticut State Agencies...

44

- ▶ Pertaining to the use of pesticides by arborists
- ▶ RCSA Sec 22a-54-2 thru 22a-66a-2

Pertinent pesticide regulations

45

- ▶ RCSA Sec 22a-65-1 discarding of pesticides and containers
- ▶ RCSA Sec 22a-66-2 pesticides not registered and use prohibited
DDT, Chlordane, Lindane

Pertinent pesticide regulations

46

- ▶ RCSA Sec 22a-66-3
- ▶ Must have check valve or anti-siphoning device on filler hose
- ▶ Must cover filler hoses when not in use.
- ▶ Must not draw water from water heading into a potable water supply.

Pertinent pesticide regulations

47

- ▶ RCSA Sec 22a-66-5 provides details of the following:
- ▶ Supervisory responsibilities
- ▶ Operator responsibilities
- ▶ Written Instructions to operators
- ▶ 22a.66a-1 Requirements for posting
- ▶ 22a-66a-2 Pre-Notification details

Additions to the Pesticide Control Act

48

- ▶ PA 18-84 ****NEW**** An act prohibiting the use of automatic pesticide misting machines
- ▶ CGS Sec 22a-61a ****NEW**** Prohibition re neonicotinoid applications on linden or basswood trees.
- ▶ Neonicitinoids are RU for use on plants with a few exceptions

Other statutes of importance not under the Pesticide Control Act

49

Title 10 Chapter 170 Boards of Education

Pesticide applications at schools --- Sec 10-231a through 10-231d

Pesticide applications on municipal playgrounds Sec 448

Title 19 Chapter 422 Department of Health

Sec 19a-77 and sec 19a-79a concerning Pesticide applications at day care facilities

Title 22 Chapter 422 Department of Agriculture ---IPM defined Sec 22-11a

Title 22 Chapter 426 Agricultural Experiment Station Research consistent with IPM 22-84a

Contact the DEEP Pesticide Management Program for more information

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