

## Dead Trees Can Be a Liability

I'll never forget the windy morning, about 10 years ago, I was about to leave for work when I heard the distinct sound of a tree splitting and falling. The tree, a hackberry, hit the patio, missing the roof by about 3 inches. What a mess! The tree was alive and looked fine, but a bit of wind and it split. Hackberries are known to be weak-wooded and will sometimes just "fall apart," a retired forester told me.

Sometime trees have problems with insect borers or diseases that will cause a branch to fall. It is one thing to lose a limb in the forest, but a tree that falls in an urban situation could fall on your neighbor or their property.

The sound it makes? Cha-ching!

The Texas Forest Service is encouraging homeowners and landowners to remove dead trees that are within falling distance of neighboring homes, roads and pathways. Failure to do so, agency officials say, could make you liable for damages.

"Be aware that your tree could fall onto someone else's property," Texas Forest Service Central Texas Operations Department Head Jim Rooni said. "The rules vary from place to place, but generally the owner of the tree is responsible. Bottom line: You could be liable."

Rooni said foresters received an influx of calls following the deadly wildfire that ripped through Bastrop last September, destroying roughly 1.5 million trees. But the liability issue isn't limited to trees killed by fire, he said.

Texas is emerging from one of the most devastating droughts and one of the most unprecedented wildfire seasons in state history. Though there is no official count for the total number of trees killed by wildfire, foresters and analysts have estimated that as many as 500 million trees in rural forested areas and another 5.6 million trees in populated urban areas were killed as a result of the 2011 drought.

The sheer volume of dead trees — especially those standing in populated areas — poses a significant hazard, Rooni said.

"Standing, dead trees are dangerous and unpredictable," Rooni said. "If they fall, they can cause serious damage — and even death."

Additionally, we had trees in south Texas that were seriously damaged when during the hail storms in March and April. If your tree still has yet to sprout green leaves, it may be dead. If you're not sure, read the Texas Forest Service [tree assessment guide](#), check out their [facebook photo album](#) to see examples of trees in varying states or contact a local forester or a [certified arborist](#). The cities of McAllen and Edinburg, both have foresters and the Texas Forest Service has a Regional Urban Forester at Weslaco, Salvador Alemany. Salvador can be reached at (956) 969-5654, or by e-mail at [salemany@tfs.tamu.edu](mailto:salemany@tfs.tamu.edu).

Be sure to check out our web page, <http://hidalgo.agrilife.org>, for upcoming programs, including a Backyard Vegetable Gardening Class starting Tuesday, July 31, and a Goat Workshop on Saturday, August 4, 2012. In addition we have several small farm programs in August, a four part soils class in September, and a Master Gardener class starting soon. Contact the Texas AgriLife Extension Service at (956) 383-1026 for more on these classes.

*Barbara Storz is an Extension educator for horticulture with Texas AgriLife Extension Service, a part of the Texas A & M University system. She can be reached at their Edinburg office at (956) 383-1026, or by e-mail at [b-storz@tamu.edu](mailto:b-storz@tamu.edu).*