

MARKET WATCH

LAWN/TREE CARE

ESA at play

RISE serves up the latest on the Endangered Species Act and its impact on you.

By BETH GERACI

At the Responsible Industry for a Sound Environment (RISE) breakfast meeting at this year's Golf Industry Show on Feb. 6 in San Diego, federal legislative and regulatory issues took the spotlight. In his introduction, Steve Gullickson, RISE governing board chairman, said in 2013 the organization is setting its sights most on California, Florida and Northeastern states such as New York, Massachusetts and New Hampshire.

"Those are key states where legislative and regulatory challenges are moving at a relatively fast pace," he said.

They're challenges he said could inhibit the entire Green Industry's ability to deliver as broad a range of products as it does today (think: pesticides).

Conversation at the breakfast focused on a few issues but most dominating was the Endangered Species Act. It's at the center of multiple federal lawsuits that could curtail the Green Industry's ability to apply pesticides on their current schedules, based on alleged risks to endangered species.

A northern California district court's decision on the issue is looming. A ruling is expected this spring.

"It's really a massive challenge for us in terms of everything—from crop all the way through golf and commercial and residential (landscaping)," Gullickson said.

RISE is striving to ensure lawsuits fighting EPA on the issue aren't successful. And by intervening in *Center for Biological Diversity v. EPA*, otherwise known as "the megasuit," RISE is taking on a proactive role, one on the side of EPA.

The suit is called the megasuit "because about 380 registered pesticides (across the U.S.) potentially could be impacted under this litigation," said Dudley Hoskins, manager of regulatory policy at RISE.

Depending on the suit's outcome, provisions could delay new pesticides from coming to market or limit their use altogether, having a major impact on the Green Industry.

The nonprofit Center for Biological Diversity contends that EPA did

RISE's Dudley Hoskins says the so-called EPA "megasuit" could affect up to 380 active ingredients.

not consult with the U.S. Fish and Wildlife Service properly about the effects of EPA-registered pesticides on some endangered species in the San Francisco Bay area.

But Karen Reardon, RISE's vice president, public affairs, said there's nothing wrong with EPA's standards.

"EPA has the gold standard for risk assessment," Reardon said. "They are very well resourced; they do a fine job in meeting their remit and risk assessment. We would like the services to be more open to the EPA and the great job they're doing on this as being protective of species."

But the U.S. Fish and Wildlife Service has its own species risk assessment process, which it's confident in, Reardon said. As a result, she added, it simply doesn't consider EPA's perspective.

RISE's hope is the consultation process among the federal services can be streamlined under the ESA and the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA).

Regardless of the issues at stake, the conflict would be much better resolved through inter-agency partnership—not played out in the courts, said Hoskins.

Reardon said RISE intervened in the megasuit, so if there is a settlement, the organization could give lawn care professionals a voice in any future discussions.

"Our goal would be to ensure there would be collaboration going forward and more perspectives involved in the decision making," she said. "We would like the interests and perspectives of pesticide applicators and manufacturers to be represented at the table through us."

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DESIGN/BUILD

What's hot

The ASLA's 2013 residential trends survey shows demand for mainstay landscape elements plus new areas of interest.

By MARISA PALMIERI

The American Society of Landscape Architects' (ASLA's) annual Residential Landscape Trends Survey reveals that fire pits/fireplaces and grills remain hot items this year, along with terraces, patios and decks. For the survey, landscape architects who specialize in residential design were asked to rate the expected popularity of various residential outdoor design elements in 2013.

We compared the data with 2012's survey to identify the items with the greatest change in popularity over last year. They include:

ELEMENT	2012	2013	% CHANGE
Wireless/Internet connectivity	42.7	47.8	5.1 ▲
Outdoor heaters	39.9	50.6	10.7 ▲
Ponds/streams	52.2	58.3	6.1 ▲
Rooftop gardens	38.3	50.4	12.1 ▲
Solar-powered lights	32.8	40.6	7.8 ▲
Geothermal-heated pools	21.7	28.4	6.7 ▲
Arbors	88.7	83.5	5.2 ▼
Decks	74.5	80.9	6.4 ▲
Utility shed	56.5	64.8	8.3 ▲
Columns	49.6	44.5	5.1 ▼
ADA-accessible structures	14.6	22.1	7.5 ▲



Not surprisingly, the following elements remain in demand, ranking in the 90th percentile on popularity:

- Terraces/patios/decks (97.6)
- Fire pits/fireplaces (97)
- Grills (96.3)
- Seating/dining areas (96.3)
- Lighting (95.1)
- Outdoor living spaces (kitchens, entertainment spaces) (94.5)
- Gardens/landscaped spaces (94.4)
- Low-maintenance landscapes (93.9)
- Installed seating (benches, seat walls, ledges, steps, boulders) (90.3)

PHOTOS: 2007 ASLA AWARD WINNER, SAWYERBERSON ARCHITECTURE & LANDSCAPE ARCHITECTURE, LLP; PHOTO BY BILL CUNNINGHAM (BOTTOM); ISTOCK INTERNATIONAL, INC.

MAINTENANCE

Selling on the frontline

Encouraging employees in the field to sell add-ons can improve net profit. Here's how to get started.

By MARISA PALMIERI

Landscape companies can improve their sales and profitability by empowering frontline employees like foremen and project managers to sell, according to consultant Jeffrey Scott.

"It's very effective for raising overall net profit by selling high-margin, add-on sales," he says.

He outlined what it takes to get frontline employees to close deals during the Jeffrey Scott Sales Summit, a three-part webinar series held earlier this year in partnership with *Landscape Management*.

The frontline employee's sales role includes spotting and preventing problems, planting seeds and reporting needs, Scott says. Encouraging employees to sell requires training, incentives and collaboration.

Basic training for frontline employees should cover things as simple as making eye contact and smiling, wearing a clean uniform, asking questions and practicing active listening. Also, ensure employees know what services your company's already supposed to be providing the client.

"Don't make suggestions for things you're already doing or supposed to be doing and haven't done yet," Scott says.

Incentives are important to motivate staff who aren't accustomed to selling. If selling isn't a core part of an employee's job, incentives typically have to be enough "to make it fun," Scott says. Consider incentivizing team members for leads, bringing in new clients and making enhancement sales.

For starters, introduce the new frontline sales program to the team and explain the incentive. Consider giving your new "salespeople" business cards if they don't already have them, which adds some weight and importance to their role. Provide them with forms to return to the office for leads or sales made. Remember to celebrate successes, and not just with money, Scott says.

"Making it important is what will make it happen," he says. "You can't just throw it out like a boomerang and expect it'll come back."

Finally, good internal communication among departments is important for collaboration. "If not, you'll find you may step on each other's toes and cause more problems," Scott says.



IRRIGATION

Intro to lobbying

Use these points to guide your advocacy efforts.

By CHAD FORCEY

While the mere mention of influencing regulatory policy may seem like a long and tough road, the fact is it's becoming a necessary route for irrigation and Green Industry professionals. With demand for water on the rise, legislators and regulatory bodies require the expertise and input of irrigation professionals to shape policy that not only promotes water-use efficiency but helps our industry's interests. In that respect, every irrigation contractor and business owner, big or small, should know how he or she can play a role in influencing public policy.

The Irrigation Association's (IA's) Landscape Water Management Contractor Common Interest Group sponsors regular webinars that offer solutions to issues important to its members. One recent webinar addressed the ways contractors can influence the laws that guide their industry. Greg Mahon, budget and policy specialist for Pennsylvania State Senator Joe Scarnati, offered some tips for irrigation professionals.

► **Define your goals.** Distill them to the most salient points. Even though the legislative process is different in every state, commonalities remain. For instance, legislators and their staff members hear from numerous interest

groups. Keeping your goals simple and easily digestible will help decision makers keep facts straight and help your cause stand out.

► **Speak out and tell your story.**

Don't count on someone else to do it for you. Not only are you advocating for your industry and interests, but you're also offering expertise on the issue. Providing tangible value to legislators on what your issue is—and how it affects the local economy and jobs in their districts—is a top selling point.

► **Build a consensus.** Typically, by the time legislation reaches the floor of any legislature, it has a relatively good chance of passing. It wouldn't have reached that point without widespread support, usually across diverse groups. Broadcasting this value to lawmakers shows that your cause has widespread support across constituencies. Consensus also gives advocates a chance to "take the temperature" of pending legislation along the way. If your lobbying efforts take an unexpected turn, you will likely hear about it from someone in your coalition. These "ear to the ground" relationships are extremely valuable.



Legislators need irrigators' expertise and input, says IA's Chad Forcey.

These points represent the beginnings of an effective strategy to advocate for your interests. Partnering with state or national associations can provide guidance on more detailed tactics, help with coalition building and assist with plans on how to best access legislators and key staff.

Access to legislators and their staffs is only as valuable as the results of the relationships formed from that access. When you effectively provide them with clear goals, a compelling case and a coalition of diverse interests, it will go a long way in the success of your advocacy efforts. **LM**

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IA Corner

Save the Date for the
2013 Irrigation Show and Education Conference in Austin, Texas, Nov. 4-8, 2013!



The Irrigation Show offers you opportunities to focus on your know-how, your business, your connections, industry innovations and fun, all in one place. For more information see irrigationshow.org.

Registration is now open for **IA certification exams** in Austin!

For 30 years, IA certification has been the way to tell customers, employers and peers that you know how to get the job done right. ► Go to irrigation.org/certification for more on IA's Select Certified program.

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- Utilizing continuing education tools.
- Gaining a competitive edge through professional certification.
- Influencing water-use public policy at the local, state, regional and national levels.
- Ensuring irrigation interests are represented in industry standards and codes development.