State of our Forests and Public Lands

2019
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## Introduction

Washington Environmental Council (WEC) and Washington Conservation Voters (WCV) are nonprofit, statewide advocacy organizations that have been driving positive change to solve Washington’s most critical environmental challenges. We work to protect, restore, and sustain Washington’s environment for all. We advocate for sustainable management of our state forests, building incentives to sustainably manage our private forests, and holding elected officials and industrial landowners accountable.

Since 2015, WEC and WCV have published an annual State of our Forests and Public Lands report highlighting the progress of the Commissioner of Public Lands and the Department of Natural Resources (DNR). As nonprofit organizations, it’s our responsibility to keep the public informed on how well elected officials are protecting the environment. The Commissioner of Public Lands is the only elected statewide position that works almost exclusively with our natural resources, making it one of the most important positions for Washington’s environment.

In 2017, Hilary Franz became Washington State’s 14th Commissioner of Public Lands and took over administering the State Department of Natural Resources, which is responsible for managing, regulating, and protecting Washington’s 10 million acres of state and private forests. The Commissioner also supervises our state’s wildfire protection and chairs the Washington State Board of Natural Resources and the Forest Practices Board. The Board of Natural Resources sets policies to guide how DNR manages our state-owned forests, aquatic lands and range-lands, and the Forest Practices Board adopts rules for state and private forests that are implemented and enforced by DNR.

The 2019 *State of our Forests and Public Lands* reports on the past year of Commissioner Franz’s progress. It reflects on issues identified in DNR’s Strategic Plan as well as issues that WEC and WCV feel should be a priority for any Commissioner. It begins with a pass, mixed, or fail grade on progress relevant to keeping Washington forests, aquatic lands, and vital resources like salmon healthy and thriving for generations to come.
In late 2018, the Commissioner released her Strategic Plan for 2018 – 2021. The Commissioner laid out her strategic priorities as:

- Make DNR a great place to work and serve Washington’s lands and communities
- Build strong and healthy communities
- Enhance forest health and wildfire management
- Strengthen the health and resilience of our lands and waters
- Increase public engagement and commitment to our public lands

Past State of our Forests and Public Lands reports used previous strategic plans as the framework for assessing what was intended to be accomplished versus what actually was. The more direct and clear the goals, the more easily progress toward them can be evaluated. We commend the Commissioner for releasing a plan and for the emphasis on supporting agency staff, however this strategic plan lacks specifics on some key issues. Things we consider prominent agency functions, like the regulatory oversight of 8 million acres of private forest land, are barely mentioned or included. We were encouraged to see priorities such as “Build Strong and Healthy Communities,” but more emphasis is needed on ways to include environmental and economic opportunities in those communities.

DNR regulates forestry practices on approximately 8 million acres of private forest land. Practices may include cutting trees, constructing forest roads, or applying chemicals. State rules, as well as a Habitat Conservation Plan (HCP) covering water quality and threatened fish, specify which practices are allowed and which are not. The HCP relies on an Adaptive Management Program (AMP) to provide science-based recommendations and technical information to assist the Forest Practices Board in determining if it is necessary to adjust forestry rules and guidance. DNR manages the Adaptive Management Program. To date, the AMP has generally failed to adapt the Forest Practices Board rules as new science is published. Instead, the AMP is mired in constant debates amongst stakeholders over how best to proceed. This problem is exemplified by the water typing and stream temperature debates presented in this report. Until DNR provides strong leadership within the AMP and at the Forest Practices Board, fish habitat within the forested landscape will remain degraded, and recovery of salmon and other aquatic resources will remain out of reach.
Water Typing

Water typing is a DNR classification system that identifies whether bodies of water like streams are fish habitat or not, and if these waters flow year-round or seasonally. The Forest Practices program uses water types to determine how large of a protective streamside buffer is required for logging operations. The Commissioner must drive the creation of a system that adequately protects our salmon and other important aquatic species.

- The Forest Practices Board, led by DNR, established a self-imposed deadline to select a permanent rule at the May 2019 meeting. After 22 years of working under an interim rule, this was promising news. However, rather than selecting rule language at the May meeting, the Board once again delayed deciding on a path forward until the November 2019 meeting.
- The work to adopt a permanent water typing rule has languished at the Forest Practices Board and in the Adaptive Management process for over 20 years. Last year, this DNR-led Board asked tribal participants and the Department of Fish and Wildlife (DFW) to draft guidance on how to further protect fish habitat while the new rules are being developed, in recognition that the interim rules do not provide adequate protections. In the end, even though tribal participants and DFW completed the work, DNR chose not to follow the Board’s directive. They declined to issue the memo back to the Board, thus failing to protect fish in the interim.

Stream Temperatures

In early 2018, the Adaptive Management Program (AMP) policy committee received a commissioned AMP study that found the buffers on roughly 30% of Type Np (non-fish bearing, perennial/year-round) streams in Western Washington do not maintain cool stream temperatures. The streams are currently exceeding Washington State water quality standards. These overheated streams show the program is not meeting one of its primary goals. Cool temperatures are essential for water quality and downstream fish habitat.

- The AMP policy committee took a positive step when participants agreed the buffers would need to be adjusted to protect water quality.
- The study has already taken over a decade to complete, yet the conclusion of the panel is now expected to be pushed back another two years, continuing a pattern of consistent delay. This means no rule will happen until 2022 at the earliest, a full four years after the 12-year study was delivered to the Board. This is inconsistent with the law that states, "the purpose of an adaptive management process is to make adjustments as quickly as possible to forest practices that are not achieving the resource objectives." Such delays demonstrate a lack of leadership by the Commissioner to drive timely change.

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Recognizing the frustration of many stakeholders, DNR brought together leaders for a five-day workshop to reboot and improve collaboration and relationships. The Commissioner, as well as the Ecology department director, executive director of the timber industry association, and various tribal and environmental community leadership attended all five days. The Commissioner’s participation showed leadership and a commitment to make needed improvements.

Adaptive Management Program

Conflict Transformation Workshop

- The workshop did a good job of sharing various stakeholders’ conflicts, challenges, and needs. It laid the groundwork to begin reconciling the “us vs. them” paradigm, and provided time to explore unmet needs and shared opportunities for inclusive, constructive collaboration.

- Now, changes need to be made beyond the workshop. The five days provided the platform to begin exploring the strengths and limits of the current Adaptive Management Program, which was a good start, but the true test will be what happens next. DNR needs to take action now to improve this program. This report identifies two major problem areas that need action: water typing and stream temperatures. In order for this workshop to be a true success, progress needs to be made in these areas.

Grade: PASS

DNR manages approximately 2 million acres of state-owned forests. In 1889, the U.S. Congress granted lands to support public institutions, funding the construction of public schools. DNR also manages state forest lands that help fund services in many counties. In addition to earning income, these lands must protect habitat for native plants and animals, and provide clean and abundant water. Some lands also offer diverse public recreation opportunities. They must be managed sustainably over time, to ensure that future trust beneficiaries and local communities are not disadvantaged by today’s actions. DNR also owns State Natural Areas which are managed for conservation, research, and education. Progress on state lands has varied.

Issues on State Forest Lands
Marbled Murrelets

Marbled murrelets are small, shy seabirds that nest in old-growth forests and feed in marine waters. Murrelets prefer large areas of coastal and near-coastal old-growth forest. DNR has struggled over the last two decades to develop a conservation strategy for this important species, which serves as a key indicator of ecosystem health.

Grade: FAIL

In 2018, the Commissioner convened the Solutions Table with the goal of finding solutions that benefit both trust beneficiaries, rural communities, and murrelet conservation. After a year of participation, progress has been slow. If DNR does not adequately fill their leadership role, this body is unlikely to arrive at an equitable solution. However, DNR deserves credit for helping prevent harmful legislation from passing that would have delayed efforts to have constructive conversations about local communities and ecosystem health.

In its environmental analysis, DNR failed to include a detailed consideration of the Conservation Alternatives presented by the Marbled Murrelet Coalition. This limits the range of alternatives they would consider for a Long Term Conservation Strategy (LTCS) to alternatives that do not increase conservation acreage.

Three timber sales have occurred in habitat under consideration for protection within LTCS alternatives. That habitat needs to be replaced elsewhere if any of those alternatives are selected. There is concern that these sales set the precedent for future sales to occur within potential protection areas, before a final LTCS is adopted.

Natural Areas

DNR manages 56 Natural Area Preserves (NAPs) and 37 Natural Resources Conservation Areas (NRCAs) on more than 162,000 acres statewide. NAPs protect high-quality examples of native ecosystems and rare plant and animal species, and serve as genetic reserves for Washington’s native species and as reference sites for comparing natural and altered environments. NRCAs protect lands that have high conservation value for ecological systems, scenic qualities, wildlife habitat, and low-impact recreational opportunities. Both NAPs and NRCAs provide opportunities for environmental education and research projects. During 2018, the Natural Areas Program continued to expand its reach.

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- DNR acquired 11 properties within the boundaries of seven different natural areas during 2018, adding about 1,600 acres to the Natural Areas system.

- The Chehalis River Surge Plain NAP boundary was also expanded by 238 acres during 2018. Located upriver from Grays Harbor, this preserve contains the largest and highest quality tidal surge plain wetland in the state. Beyond supporting rich biodiversity, habitat for rare species, and recreation for the public, the surge plain provides other ecosystem services for the area, like flood mitigation and water filtration. The wetlands play a critical role as a sort of escape valve during extreme high water events, by absorbing and slowing flood waters.

- DNR initiated four forest restoration projects in 2018 to conduct restoration thinning on 378 total acres. These projects involve thinning young, planted coastal stands in the Bone River NAP, Nisqually River NAP, and Ellsworth Creek NRC, as well as restoring open, aridland forest structure and increasing the viability of old trees at the Pinecroft NAP. Pinecroft NAP protects one of the few remaining examples of the ponderosa pine and grassland ecosystem that was historically common in the Spokane Valley, and provides important nesting habitat for hawks, owls, and songbirds in an increasingly developed landscape.

Grade: PASS
Olympic Experimental State Forest

Inland areas along the Pacific Coast grow some of the biggest trees in the world. These trees are prized for their carbon storage ability, wood products, and desirable habitat for at-risk species. That is why the Olympic Peninsula was a logical place for an experimental forest. The 270,000-acre Olympic Experimental State Forest (OESF) is tasked with the objective of learning how to integrate revenue production with ecological values.

No mention in Strategic Plan

Grade: MIXED

• In the 2016 OESF Land Plan, there continues to be disconnect between DNR’s riparian management for Bull Trout and Northern Spotted Owls. DNR is engaging with various stakeholders including conservation organizations, U.S. Fish and Wildlife, and local beneficiaries and communities to resolve the issues. We thank DNR for their investment here and hope for their continued engagement until issues are resolved.

• The OESF should be better utilized as a site location for creative new projects that balance ecological and economic benefits. This approach could include development of a carbon project which would bring a diversified revenue source to local communities, or additional Forest Stewardship Council (FSC) certification.

Other Forestry Issues

Some issues in the report card are specific to certain land areas or ownerships, while others have the potential to impact forests equally across the state. One such issue is climate change. Our forests provide many benefits and services, including clean water and air, recreation, wildlife habitat, carbon storage, climate regulation, and a variety of forest products. Climate influences the structure and function of forest ecosystems and plays an essential role in forest health. A changing climate will worsen many of the threats to forests, such as pest outbreaks, fires, human development, and drought. Forests also play an important role in mitigating the impacts our state will face in a changing climate.
Wildfire Tax

Commissioner Franz showed tremendous leadership this legislative session by pushing a bill that would have provided dedicated, ongoing funding to address the state’s wildfire crisis. Funds would have bolstered firefighting training, added firefighters and equipment, and removed diseased and dying trees from millions of acres of Washington forests. Wildfire suppression costs in our state have averaged $153 million per year over the past five years.

**Grade:** PASS

Community Forests

Community Forests are working forests owned and managed by municipalities, government agencies, tribes, and nonprofit organizations. These forests provide local and broader public benefits such as jobs in forestry and wood product production, public access and recreation, educational opportunities, clean and abundant water, climate resilience, and fish and wildlife habitat. In this way, Community Forests integrate local communities into natural resource management and balance multiple values on the landscape.

- In 2018, the legislature directed DNR to assess existing and developing community forest projects and to conduct an economic impact assessment of the Mt. Adams Community Forest (MACF). That process identified 20 community forest efforts that are underway in all parts of the state. The economic impact assessment showed that since 2014, timber harvests, forest health treatments, and stewardship activities made possible by the MACF produced $8 million in new economic benefits for Klickitat County.

- In the 2019 legislative session, DNR worked productively with stakeholders from the Northwest Community Forest Coalition, including WEC, to push forward a bill to create a formal community forest grant program at the state’s Recreation and Conservation Office and to secure funding for projects. While the bill initially passed in the Senate with bipartisan support, it failed to garner the necessary support in the House. Nevertheless, $1.3 million was secured in the budget for community forest pilot projects to support the acquisition of over 1,000 acres for community forests in Glenwood and Chewelah.

**Grade:** PASS
Internal Assessment of Climate Change-Related Risks

In 2016, DNR completed an agency-wide assessment of climate change-related risks to its programs and operations. This year, the agency built on that work to produce a comprehensive climate resilience strategy. When completed and published in early 2020, the strategy will outline the ways the agency can continue to fulfill its core mission and responsibilities under changing climate conditions. The strategy will also serve as a reference point for other governments, businesses, and organizations striving to enhance resilience.

• The Commissioner understands and acknowledges climate change poses significant threats to the natural resources that are central to DNR’s mission and responsibilities, and that current trends in climate change impacts are expected to continue or accelerate as a result of continued greenhouse gas emissions.

• The strategy spans across the agency, including forest lands, aquatics, agriculture, and protected natural areas.

Climate Alliance Working Lands Group

The United States Climate Alliance is committed to reducing greenhouse gas emissions consistent with the goals of the Paris Agreement. The Commissioner led the way in assembling a seven-person expert ‘forestry’ team from the Governor’s office, Department of Natural Resources, Colville Tribes, plus forest industry and environmental interests, to help tackle the issue of these ecosystems being both a ‘source’ and ‘sink’ for emissions.

• The expert team participated in the U.S. Climate Alliance’s Learning Lab on Natural Working Lands. Washington identified three forest-related climate-mitigation pathways of particular importance to the state, including forest management for carbon sequestration, fire management, and avoided conversion of forests to non-forest systems.

• The team worked together to develop a legislative proposal. It directed DNR to conduct baseline inventories of carbon stocks and emissions across the state, serve in a liaison role to assist interested owners of private forestland to connect with existing carbon markets and other incentive-based carbon reducing programs, and form a carbon sequestration advisory group to advise the state on ways to effectively advance and accelerate carbon sequestration.

• Even though a multi-national industrial timber company came out opposed to the legislation, DNR showed leadership by passing a budget proviso that will help us take some of the modest but meaningful steps mentioned above to move the conversation forward.
Tall Wood Buildings that use mass timber products like Cross-Laminated Timber (CLT) in their structures have gained prominence these last few years. CLT is a prefabricated, solid engineered wood panel used in construction. The climate implications of mass timber buildings depend on what happens in the forest. A transition to CLT that leads to significant increases in environmentally harmful logging and forest degradation is not acceptable. CLT cannot be climate-smart unless it comes from climate-smart forestry. DNR staff are diligently working on this issue, and have spent much of this year brainstorming and figuring out what to do. Now it is time for action.

- DNR mentions CLT as an “emerging opportunity” in its 20 Year Forest Health Plan for Eastern Washington, saying use of CLT “sourced from small diameter trees, could support buildings designed and built in our cities with products responsibly sourced and milled in our forest communities.” We appreciated and noted the words “responsibly sourced and milled” and consider them key to successful supply of this material.

- As a mass timber industry starts to take shape in Washington State, DNR should take timber from state-owned forest health treatments or FSC-certified acres, to help build the right climate-smart product market for CLT.

The Forest Stewardship Council is the most trusted forest certification program. It helps consumers and companies identify and purchase products from responsibly managed forests. FSC conserves wildlife habitat, protects clean water, and respects the rights of Indigenous Peoples and local communities on 170 million acres of forest lands in the US and Canada. Recent research finds that on average, FSC-certified forests store 30% more carbon than those managed using conventional industrial practices, yet DNR’s FSC Program includes only 176,000 certified acres mostly in the South Puget Sound area.

- The Commissioner of Public Lands has demonstrated leadership in the building sector to help make the case and grow the market for FSC-certified construction products sourced regionally.

- DNR continues to have an opportunity to invest additional resources into forest management and staffing that could support certifying additional FSC acres on state lands and delivering increased value from already certified FSC acres.

- Other states, including Minnesota, Michigan, Wisconsin, and Pennsylvania, have millions of acres and 100% of their state-managed forests are FSC certified. Washington is missing the mark with only about 8% of its 2.2 million state-managed acres FSC certified.

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DNR manages, leases, and protects more than 2.6 million acres of aquatic lands that include navigable lakes, rivers, streams, and marine waters such as Puget Sound, the Salish Sea, and the outer coast. While most of this report is focused on forests, it should be recognized that water and trees are connected from the uplands to the lowlands, making up complex ecosystems and economic opportunities. Several actions demonstrate that DNR is responsibly stewarding these unique resources while also balancing economic benefits.

- DNR pushed hard for strong shoreline protections throughout the 2018 Orca Recovery Task Force proceedings, both in the Prey Work Group and in the task force itself. In addition, DNR staff testified in support of several habitat protections during the 2019 legislative session.
- DNR identified and coordinated strong recommendations for reducing toxic loads from creosote pilings—large sources of polycyclic aromatic hydrocarbons that can impact the survival of herring and other forage fish important to salmon and orcas.
- DNR continues to support and implement important monitoring for ocean acidification in state waters. This data is important to understanding what areas are prone to or resilient in the face of climate change.
- The proposed Millennium Coal Export Terminal in Longview, WA, could export 44 million tons of coal every year and cause direct harm to our public aquatic lands. DNR has continued to apply resources to uphold their decision to deny harmful leases to the terminal. This process began in January 2017, when DNR rejected a request to sub-lease aquatic lands in Longview to the coal company; DNR has since defended its decision against the company’s litigation.

As a trust lands manager, DNR generates revenue decade after decade that supports healthy rural communities, schools, and social services. In partnership with the Legislature and stakeholders, DNR is leading an effort to optimize its state trust land performance. DNR will perform a comprehensive analysis of the strengths and weaknesses of the state trust land asset portfolio for current and future generations. As part of this project, DNR will develop the information necessary to make informed choices regarding near and long-term investments. DNR will also explore potential new business lines across their land portfolio. We see this asset valuation as an opportunity for DNR to study and communicate the importance of the multiple benefits that forests provide. Specifically, we look forward to the analysis and valuation of the ecosystem services provided by state-managed forests, such as water quality and carbon sequestration, how they benefit Washington’s ecosystems and communities, and how DNR’s management strategies can protect—and potentially improve—their resilience.

WEC recently formally requested that the Board of Natural Resources (BNR) adopt a forest carbon policy and/or initiate rulemaking that governs the management of the state forests to address climate change. Currently, the BNR has no policy that explicitly guides DNR on how to incorporate climate and carbon science into forest management plans and decisions. Climate change poses a severe threat to the well-being and livelihoods of all Washington’s residents, and to the health and productivity of the forests that BNR manages for Washingtonians today and tomorrow. The impacts are occurring today and are rapidly getting more severe. It is no longer practical nor prudent to manage the state’s forest lands without clearly outlining policies that address the exigent crisis of climate change and its impacts on this invaluable resource. We hope the BNR will respond with a decision that rises to the urgency and severity of the challenge.
Renewable Energy Production on State Lands

Mentioned in Strategic Plan D.2.1: Strengthen the Health and Resilience of Our Lands and Waters

DNR is seeking and leveraging opportunities in clean energy generation. Part of Commissioner Franz’s Rural Communities Partnership Initiative, with a goal of 500 MW of solar power developed on state trust lands by 2025, this work demonstrates the importance of investing in rural economies through clean and sustainable development. We look forward to working with the agency on this initiative to ensure our lands are put to their highest, equitable, and best use, including for renewable power development for everyone.

Special Thanks for the Commissioner’s support of Initiative 1631

In the fall of 2018, the largest coalition in state history put Initiative 1631 on the ballot, which would have established the first state level carbon fee in the nation. The initiative failed to pass against over $30 million in out-of-state oil industry spending, the most in state history. But it galvanized new leadership and a diverse array of support that has shown up in legislative fights to protect our climate and invest in state natural resources. Commissioner Franz was the second statewide elected official to publicly support the initiative, adding weight and power at a critical time for the campaign. She recorded testimonials lending her voice and used her own platform to support the effort. She also gave weight and tangible focus to the natural resource investments that would have been possible if this initiative had passed.
Throughout this report, we were looking for measureable progress – meaningful, at-scale change that we could point to as improvements. Commissioner Franz is making good progress on higher profile public lands concerns and taking action to address climate change. Where she has chosen to lead, she has accomplished important results, but Washington needs leadership on all issues outlined in this report.

When changes are made to Washington’s logging rules or forestry management plans, they impact millions of acres of land that in turn affect millions of Washingtonians. The Commissioner also has an important role to play in protecting and restoring salmon. This will require leadership on complicated issues. Many issues at the core of what the agency does have continued to languish under Commissioner Franz. Washington needs a Commissioner who will make tough decisions to protect forests and salmon. Commissioner Franz has the opportunity to change the status quo to sustainably manage state and private forest lands that benefit the environment and local communities across the state. Threats to our forests are growing every day; we do not have the luxury to wait decades longer for progress.

This office has such incredible potential for our environment. By leading both the Board of Natural Resources for state lands and the Forest Practices Board for private lands, Commissioner Franz has the ability to make positive change on millions of acres. WEC and WCV look forward to continuing work with the Commissioner and her staff to realize this promise.
WCV is a 501(c)4 that ensures Washington’s decision makers keep our environment protected, healthy, and vibrant. Over the last 35 years, we have elected environmental champions, held our elected leaders to the highest standard, and built statewide momentum for environmental campaigns through innovative voter outreach efforts and community organizing.

WEC is a nonpartisan 501(c)3 nonprofit organization that does not support or oppose any candidates or political parties. We educate the public about the actions their elected officials have taken on environmental issues and we work with elected officials of all party affiliations to protect our environment.

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