

**Indicator 50. Extent to Which the Legal Framework (Laws, Regulations, Guidelines) Supports the Conservation and Sustainable Management of Forests, Including the Extent to Which It— Provides Opportunities for Public Participation in Public Policy and Decisionmaking Related to Forests and Public Access to Information**

**What Is the Indicator and Why Is It Important?**

Forests may be managed more sustainably if citizens have responsibility for their use, management, and protection. If through active influence, citizens are given an opportunity to identify areas of opportunity and concern over forests, they are more likely to support the management of forests and the principles of sustainability as might be incorporated therein. In a broader context, public participation processes can foster practical and political support for sustainable management. Access to timely, complete, and accurate information about forests, forest resources, and socioeconomic trends will enhance those participatory processes.

**What Does the Indicator Show?**

Public participation in public agency decisions is exercised in a variety of ways, ranging from engagement in the electoral process to testifying at public hearings and meetings and from direct involvement in multistakeholder collaboration activities to engaging in some form of challenge or protest action. Legal capacity for engaging the public in decisions regarding forest sustainability exists for nearly all State and Federal agencies that have responsibility for forests and related resources. The extent to which this capacity is exercised, however, varies considerably within different levels of government and among different agencies. Such processes are generally embodied in various administrative structures and procedures, and agencies are increasingly interpreting their public participation authority to be more interactive and collaborative in nature. Public participation processes are also becoming more sensitive to ethnic and minority interests in forest and related natural resources.

Federal legal capacity for public participation is largely a product of laws and rule-making occurring over the last 50 years. Federal statutory requirements are expressed in a variety of ways, including procedures for rule-making, conditions for agency issuance of permits, requirements for public meetings, public access to information, and processes for developing and implementing plans. Federal authority to initiate public participation activities emanates from forest resource law, environmental law, and general government administrative law. As it relates to forests, substantial variation exists in scope, focus, and intensity of Federal agency capacity stemming from those different legal authorities. Furthermore, Federal legal requirements for public participation are not always comprehensive in that they often focus on a single resource sector within forests.

State government authority to engage in public participation and related activities emanates primarily from open meeting and open record laws (all but one State has an open meeting law). States, however, also authorize public participation in policy development via election of initiatives and referendums, citizen service on governing or advisory entities (248 such entities focused on forest resource and related agencies), citizen participation in forest resource planning activities, and participation in interest groups that focus the forest resource interests of many citizens. Local units of government often follow their State counterparts on matters of public access to government decisionmaking. The extent of local government capacity to carry out public participation activities is largely unknown in general and especially so from a sustainable forestry perspective.