

## Private Landowner Burial on NH Conserved Land Best Practices

Before agreeing to include burial rights in a conservation easement, it is recommended that the land trust develop a set of best practices to be mutually agreed upon by both landowner and land trust. The following are punch lists of items to consider and expand on in a written policy document:

### NH Burial Laws and Procedures

- Existing historical/archeological features include cemeteries.
- Landowner has legal right to bury in existing cemetery or to establish one on private property.
- Right to interment runs with the property.
- Follow NH State law RSA 289:
  - Family members only.
  - Record with the Town Clerk (burial permit) and notify Municipal Cemetery Trustees.
  - Record on property deed at time of transfer or before.
  - Provide a map showing public right of way.
  - Comply with state setbacks for water, highways, buildings (*NH 50' water & highways, 100' buildings*).
  - Comply with local zoning ordinances where they exist.

### Requiring Eco-documentation

- Natural Resources Inventories
- Botanical Inventories
- Wildlife Corridor Mapping
- Hydrological Reports
- Ecological Impact Assessments
- Soil and Plant Restoration Plans
- Integrative Pest Management Plans
- Traffic Management Plans



*Prairie Creek Conservation Cemetery, Alachua Conservation Trust*

### Determining Size, Location, and Carrying Capacity (See *Direct and Indirect Impacts* below\*)

- Consult site plans and eco-documentation for optimum area.
- 5' above maximum seasonal water table.
- Determine distances from wildlife corridors and waterways.
- Determine capacity; eligible landowners, relatives; capped or open time period.
- Reserve a specific portion for burial, mapped and restricted in easement.
- Limit burial to open spaces, margins or ecotones, or wooded areas with specific methods for grave preparation and closing.

### Grave Specifications

- Minimal disturbance of soil.
- 3.5 – 4 feet deep, 18 to 24-inch smell barrier.
- Line grave floor and blanket shroud or casket with native biomass, straw, pine boughs, etc.
- Use plant-based, biodegradable materials only, no toxic chemicals.
- Remove and restore soils as indicated below.\*
- Add native plantings, leave to naturalize; devise restoration plan.\*\*

**\*Direct and Indirect Impacts on Soil and Vegetation When Grave Siting** (*Dr. Billy Campbell*)

1. Survey grave footprint for vegetation and what plants might be worth rescuing. If an item is significant and non-movable, consider moving the footprint.
2. Survey area around the grave for rare or sensitive species.
3. Plan for where attendees should stand. Rope off sensitive or potentially dangerous areas (for example, in a regenerating forest, rotted tree stumps can form deep holes).
4. Rescued plants should be cared for appropriately (depends on plant, season, other conditions).
5. Excavated dirt should be placed on tarps. Consider raised temporary platform (concrete blocks and marine plywood) in rare circumstances where the overburden could damage significant plants at the wrong season or conditions.
6. Keep soil horizons in separate piles. In eastern deciduous forests, where a duff layer exists, it can be turfed off in strips and placed in an area where it will not be trampled.
7. The piles of soil should be kept dry and covered in wet climates.
8. In some, hand digging graves is preferable to back-hoes related to site damage and ease of hand-covering graves (backhoes can create large clogs of dirt in many soils).
9. If the grave is off trail, a temporary trail should be established to minimize trampling by excavators and attendees.
10. If an area has known or discovered significant Native American cultural artifacts (a village site, burial site, etc.), it should be off limits for burial, and the operator should contact an archeologist. If the site has random, less significant artifacts (projectile points, for example), an effort to recover these items and record the locations would be appropriate.
11. Excavation may require special techniques in unstable soils (high sand content, for example) or special conditions (glacial erratics, unexpectedly shallow basement rock).
12. In rocky conditions, removed rock might be re-purposed to naturalize and stabilize the grave mound.

**Ensuring Access and Maintenance**

- Plan for winter burial access.
- Plan for trail or pathway maintenance to burial area.
- Adjust agricultural activities and timber management.
- Provide plans for plant and soil restoration.

**Memorialization Specifications**

- Limits to monument materials, sizes.
- Native stone markers.
- Permanent and temporary art installations.
- Grave planting restricted to native grasses, fern, and wildflowers.

**\*\*Restoration Opportunities**

- Identify sources of local cultivars of native, rare, or endangered plants.
- Identify appropriate plant location according to native growth habits.
- Consider propagation of rescued plants and seeds collected on site.
- Use ground disturbance as an opportunity to enhance native plant diversity.

**Communications**

- Landowner will notify land trust within 24 hours of proposed burial.
- Landowner will notify land trust of any changes or disturbances to the burial site.