

306.991 GREEN BURIALS IN PUBLIC CEMETERIES.

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

- (b) "Drainage system" has the meaning given in section 103E.005, subdivision 12.
- (c) "Green burial" has the meaning given in section 149A.02, subdivision 42.
- (d) "Natural watercourse" has the meaning given in section 103G.005, subdivision 13.
- (e) "Ordinary high-water level" has the meaning given in section 103G.005, subdivision 14.
- (f) "Water supply well" has the meaning given in section 103I.005, subdivision 20a.

Subd. 2. **Green burial requirements.** A municipality, town, or other cemetery governed by this chapter that allows for green burials must comply with the requirements of this section.

Subd. 3. **Green burial plot locations.** (a) Green burial plots must meet the following criteria:

- (1) be set back 50 feet from property lines;
- (2) maintain at least 3-1/2 feet clearance above the ordinary high-water level;
- (3) not be in standing water;
- (4) not be within zone 1 groundwater source protection zones around a spring, a water supply well, or a shaft drilled into the ground meant to extract water; and
- (5) not be within flood-prone areas.

(b) Green burial plot locations must be a certain distance from water sources. Green burial plot locations must be:

- (1) 50 feet from water supply wells and shafts drilled into the ground used to extract water;
- (2) 100 feet from other springs or watercourses; and
- (3) 33 feet from drainage systems.

Subd. 4. **Exception.** A property with green burial plots in a designated location on or before July 1, 2025, does not need to comply with the requirement of subdivision 3, paragraph (a), clause (1).

Subd. 5. **Burial depth.** (a) Green burial plots must be at a minimum depth of 3-1/2 feet from the base of the grave to the soil horizon.

- (b) Green burials must have 3-1/2 feet of cover.

Subd. 6. **Burial density.** Green burial plots must be a maximum of 300 burials per acre over a 100-year period.

History: *1Sp2025 c 3 art 19 s 9*