Maryland Inventory of Cemeteries and Burial Sites Workgroup Report



Executive Summary

Cemeteries are historical landscapes that contain invaluable social, cultural, artistic, and architectural information about past communities. In every Maryland community, cemeteries tell the story of American and local history and provide a place to contemplate, remember, reflect, and study our ancestors. The location and documentation of both historic and unmarked burial sites provide valuable information for future generations and prevents the loss of cultural resources due to development. Yet, efforts to identify and document the location of historic cemeteries across Maryland are uneven as many local governments do not have the capacity to conduct this research or maintain this data in a publicly-accessible format. Creation of a comprehensive, standardized statewide cemetery inventory is needed to protect and preserve these cultural sites, create a consistent and accessible record for research, and ensure proper land use planning so that burial sites are not accidentally disturbed due to development activities.

In recognition of this need, the Maryland General Assembly enacted a bill titled Maryland Inventory of Cemeteries and Burial Sites Workgroup – Establishment (SB354) in 2025. This legislation created a Workgroup to study issues related to the establishment and maintenance of a State cemetery inventory system. The Maryland Historical Trust (MHT) provided overall staff support for the Workgroup which met on an approximate bi-weekly basis from June through November 2025 to develop recommendations in response to the bill's directives.

Statutory Definitions

SB354 charged the Workgroup with identifying and reviewing the various definitions of the terms "cemetery" "burial group" "burial site" and any related terms in the Maryland Annotated Code and recommend a single definition for each term.

Recommendation 1: Update definitions of the terms interment, cemetery and burial site as noted below.

- Interment: The act of the final disposition of a single human or pet remains.
- Cemetery: A place reserved for the final disposition of one or multiple burial sites.
- Burial Site: The individual place reserved for the final disposition of a single human or pet remains.

Maryland Statewide Cemetery Inventory Recommendations

SB354 required the Workgroup to identify categories for data collection and public search functions for a statewide cemetery inventory system, identify an entity responsible for collecting data and maintaining the system, and determine associated costs with development and maintenance of the system beginning in fiscal year 2027.

<u>Recommendation 2.1:</u> Develop a statewide cemetery inventory as a map-based system using ArcGIS to be developed and maintained by MHT. See Appendix 3 for the list of recommended data collection categories and public search functions.

Recommendation 2.2: Establish a dedicated Cemetery Program Manager position at MHT at a cost of approximately \$100,000 per year beginning in FY2027 to support ongoing development and maintenance of the cemetery inventory.

Cemetery Inventory Grant Program Recommendation

The Workgroup was charged with evaluating the feasibility and cost of establishing a grant program to provide financial assistance to governmental entities and nonprofit genealogical and historical organizations to expedite identification of cemeteries. The Workgroup was also directed to recommend a funding amount and source for a grant program beginning in fiscal year 2027.

<u>Recommendation 3.1:</u> Establish a grant program supporting a broad range of historic cemetery identification, research and documentation needs with a 25% matching fund (cash or in kind) requirement to be administered by MHT.

<u>Recommendation 3.2:</u> Beginning in FY2027, appropriate \$250,000 in general funds to support the cemetery inventory grant program in the first year with increases anticipated over time.

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Background

Enabling Legislation

During the 2025 legislative session, a bill entitled *Maryland Inventory of Cemeteries and Burial Sites Workgroup – Establishment* (SB354) was enacted which created a workgroup to study issues related to the establishment and maintenance of a State cemetery inventory system. SB354 directs the workgroup to:

- Identify and review the various definitions of the terms "cemetery" "burial group" "burial site" and any related terms in the Maryland Annotated Code and recommend a single definition for each term;
- Identify and evaluate current cemetery documentation practices used by county governments and municipal cultural resource management and historic preservation programs, nonprofit preservation organizations, and private entities;
- ➤ Identify and evaluate cemetery inventory systems implemented in other states to determine best practices for and challenges to designing, implementing, and maintain a cemetery inventory system in the state;
- ➤ Evaluate existing cemetery inventories maintained by county governments, historic preservation programs, and genealogical organizations to determine the best methods for integrating existing information into a State cemetery inventory system;
- Identify and recommend a set of categories for data collection and maintenance and system functions, including a public search function, for a State cemetery inventory system;
- Recommend the appropriate entity to collect data for and maintain a State cemetery inventory system;
- Determine the cost of designing, implementing, and maintaining a State cemetery inventory system and recommend a source of funding to implement a State cemetery inventory system beginning in fiscal year 2027; and
- Evaluate the feasibility and cost of establishing a grant program to provide financial assistance to governmental entities and nonprofit genealogical and historical organizations to expedite identification of cemeteries and recommend the funding amount and source for a grant program beginning in fiscal year 2027.

SB354 requires submittal of the Workgroup report to the Governor and General Assembly by December 1, 2025.

Workgroup Composition and Staffing

SB354 established a 14-member Workgroup which included representation from state agencies and private entities with an interest in cemetery preservation and related issues. Seven members of the Workgroup were to be appointed by the Secretary of the

Department of Labor since the Department houses the Office of Cemetery Oversight (OCO).

Seat	Title	Representative
1.	Maryland Historical Trust	Elizabeth Hughes, Director
2.	Maryland Office of Cemetery Oversight	Deborah Rappazzo, Director
3.	Maryland Commission of African American History and Culture	Maya Davis, Chair
4.	Coalition to Protect MD Burial Sites	Hope Metzler, President
5.	MDOT Office of Cultural Resources	Dr. Julie Schablitsky, Chief
6.	Preservation Maryland	Christiana Limniatis, Director of Revitalization Initiatives
7.	Maryland State Archives	Corey Lewis, Assistant State Archivist

Appointed by the Secretary of Labor:

Seat	Title	Representative
8.	Representative of local government with an existing cemetery program	Beth Burgess, Chief, Resource Conservation Division, Howard County Dept. of Planning and Zoning
9.	Representative of local genealogical and historical organizations that carry out cemetery research and documentation (1 of 3)	Mark Edwards, Montgomery Preservation
10.	Representative of local genealogical and historical organizations that carry out cemetery research and documentation (2 of 3)	Daniel Phelan, Baltimore County Genealogical Society
11.	Representative of local genealogical and historical organizations that carry out cemetery research and documentation (3 of 3)	Tina Simmons, Anne Arundel County Genealogical Society
12.	Representative of local descendent community	Donna Nelson, Point of Rocks Colored Cemetery
13.	Representative of local cemetery	Glenn Easton, Executive Director, Garden of Remembrance Memorial Park
14.	Representative of religious cemetery	Reginald Bishop, St. James United Cemetery

The Maryland Historical Trust (MHT) provided overall staff support for the Workgroup which met on an approximate bi-weekly basis from June through November 2025. MHT staff members Gregory Brown, Cultural Resource Information Manager, Dr. Matthew McKnight,

Chief of the Office of Archaeology, and Dr. Zachary Singer, State Terrestrial Archaeologist, provided support for the Workgroup.

Development of the Workgroup report was also supported by Adam Snyder, principal counsel for the Maryland Department of Planning. Lucy Laudeman, a student at the Elisabeth Haub School of Law at Pace University, assisted with research for the report during her 2025 summer internship with the Office of the Maryland Attorney General (OAG). Ms. Laudeman's research focused on the definition of cemetery-related terms in statute and a comparative review of state cemetery inventory programs on a national level.

Statutory Definition Recommendations

SB354 charged the Workgroup with identifying and reviewing the various definitions of the terms "cemetery" "burial group" "burial site" and any related terms in the Maryland Annotated Code and recommend a single definition for each term. Research findings associated with this task are contained in Appendix 1. The Workgroup determined that a single definition was needed for the terms "cemetery", "burial site" and "interment" only as noted below.

STATUTORY TERM: INTERMENT

Recommended Definition: The act of the final disposition of a single human or pet remains.

Synonyms include but are not limited to: Burial, Entombment, Inurnment, Inhumation, and Re-Interment.

STATUTORY TERM: CEMETERY

Recommended Definition: A place reserved for the final disposition of one or multiple burial sites.

Synonyms include but are not limited to: Burial Ground(s), Graveyard, Burial Park, Burial Site, Memorial Park, Scattering Garden, Mausoleum, Columbarium, and Potter's Field, and Ossuary.

STATUTORY TERM: BURIAL SITE

Recommended Definition: The individual place reserved for the final disposition of a single human or pet remains.

Synonyms include but are not limited to: Grave, Burial Space, Plot, Space, Grave Space, Crypt, Niche, Tomb, and Vault.

Evaluation of Cemetery Documentation Practices

SB354 directed the Workgroup with the identification and evaluation of current cemetery documentation practices used by county governments and municipal cultural resource management and historic preservation programs, nonprofit preservation organizations, and private entities in Maryland as well as cemetery inventory systems employed by other states. This section of the report summarizes those findings with more detailed information provided in Appendix 2.

Local Governments in Maryland

In Maryland, thirteen county governments maintain documentation on cemeteries and burial sites. This information is held as a data layer in the county geographic information system. Presently, only ten counties make this information publicly accessible. Counties with the most robust cemetery documentation programs include Anne Arundel, Howard, Montgomery and Prince George's Counties.

Anne Arundel County has an active Cemetery Preservation Stewardship Program and collaborates closely with local groups, volunteers, and citizens to encourage data-sharing on cemetery locations. The Cultural Resource Section of the county's Planning Department has created a digital survey tool for the public that is available both as a downloadable form and as an online web form. In this way, citizens can provide information about historic cemeteries directly to the county for inclusion in its database.

Howard County has a Cemetery Preservation Advisory Board (CPAB) which assists in maintaining and updating a cemetery inventory, provides advice on development and subdivisions involving cemeteries, and helps make determinations regarding the discovery of previously unknown burials. Restoration work at cemeteries included in the inventory are eligible for the county's historic property tax credit program. In addition, the Howard County Department of Planning & Zoning and Cemetery Preservation Advisory Board (CPAB) partner with the Howard County Genealogical Society to sponsor a grant program for projects that support the repair, protection, landscaping, or educational signage of the county's historic cemeteries.

Montgomery County has two ordinances which govern its cemetery inventory work. Dating to 2017, Ordinance 33A-17 requires the Planning Board to maintain an inventory of human burial sites in the county while Ordinance 18-31 requires these sites to be preserved and protected during the preliminary plan of subdivision review and approval process. The county maintains a searchable Burial Sites Inventory map on its website as well as a *Guidelines for Burial Sites* publication which includes information about maintaining the inventory, informing the public, and providing guidelines for complying with the County

ordinance regarding burial sites in the Preliminary Plan of Parcel Subdivision Review Process.

The Prince George's County Planning Department is actively undertaking a comprehensive survey of cemeteries and burials throughout the county. The county provides an online form that the public can use to submit information on historic cemeteries. The county also published the *Prince George's County Cemetery Preservation Manual* in 2010 which remains available online.

Also of note is the Washington County ArcGIS story map which provides an easy to navigate map-based database of the county's 100+ cemeteries as well as links to various technical assistance resources. Developed by the Washington County Historic District Commission, the map includes an email contact form that the public can use to report new cemeteries for addition to the database and map.

Only one Maryland municipality has been identified that maintains a discrete cemetery inventory. The City of Hagerstown maintains an inventory that includes existing cemeteries, previously removed cemeteries and alleged locations of cemeteries based on anecdotal information and evidence. Recommended additions to the inventory are reviewed by the City's Historic District Commission. If the Commission concurs that sufficient evidence has been provided, the cemetery or burial site is then added to the map-based inventory.

Private Entities

Within Maryland, there are many historical societies, libraries, veterans' organizations and churches that collect and maintain cemetery information of interest to their respective constituencies. These materials are maintained in a variety of formats and often contain detailed burial site specific information such as tombstone transcriptions, photographs, etc.

Among these efforts, the Baltimore County Genealogical Society (BCGS) is particularly notable. The BCGS is in the process of creating a comprehensive, publicly accessible, map-based inventory of burial locations in Baltimore County as a resource tool for genealogists. The inventory currently includes 465 sites. Of those, 365 sites have been geocoded.

Outside of Maryland, the University of South Florida hosts the Black Cemetery Network (BCN). BCN intends to develop a comprehensive directory of African American cemeteries throughout the nation, including those which had been neglected, displaced, or are currently at risk of erasure. This virtual archive includes an interactive site map and accepts cemetery or sacred space registration nominations from organizations and individuals who

are actively involved with these sites. Currently, the archive includes seven entries for Maryland cemeteries.

Internationally, Find a Grave (www.findagrave.com) includes data on over 250 million memorials worldwide. This publicly accessible website, managed by Ancestry.com, organizes American cemetery data by state and county. Find a Grave provides users with a free mobile app that volunteers may use to upload cemetery data including locational information, photographs, and detailed information about grave records. Similarly, Interment.net maintains a publicly accessible database of cemetery transcriptions that is organized by state and county. Billiongraves.com also includes records and images of cemeteries all over the world and includes cemetery GPS coordinates. Although useful research tools, it should be noted that these databases, which are crowd-sourced, can include inconsistent and inaccurate data and should be used in combination with other primary source materials.

Maryland State Government

The Maryland General Assembly assigned the responsibility for preparation of a statewide burial site inventory to the OCO. Specifically, the Maryland Cemetery Act requires the Director of the OCO to prepare the following report:

"Inventory and assessment. -

(1) Beginning with a report due on December 1, 2028, the Director shall conduct an inventory of all known burial sites in the State and shall update the inventory and report every 5 years to the General Assembly, in accordance with § 2-1246 of the State Government Article, on the number of for-profit cemeteries, nonreligious-nonprofit cemeteries, bona fide religious-nonprofit cemeteries, veterans' cemeteries, and local government-owned cemeteries."

The OCO inventory consists of an excel spreadsheet that includes over 5,000 entries for cemeteries and burial grounds ranging from large commercial cemeteries to small, family-owned plots. The spreadsheet includes data on cemetery name, location and a comments field that sometimes includes ownership information. While this inventory is not available to the public, OCO maintains a publicly accessible and searchable list of licensed cemeteries on its website.

The Maryland Department of Transportation (MDOT) State Highway Administration (SHA) began to develop a statewide cemetery mapping layer in their GIS database in 2019. The purpose of this project was to record data that could be shared with state and local government planners to ensure consideration of these burying grounds prior to initiating development projects. Working in partnership with Preservation Maryland, SHA developed

a mobile app, which could be used by the public to record cemetery locational data. So far, over 100 cemeteries and burial grounds have been documented and included in SHA's database. More information about this project can be found online here: mdot-sha-cemetery-inventory-maryland.hub.arcgis.com.

MHT does not maintain a dedicated historic cemetery layer within its map-based online database, known as Medusa. While the Maryland Inventory of Historic Properties includes individual listings for approximately 523 cemeteries and burial sites¹, cemeteries and burial sites can also be found within the boundaries of other historic properties, such as churches, farms, and historic districts. These cemeteries are harder for researchers to identify without examining the full site records, and currently no flag or search method exists to extract only those sites that include cemeteries.

The Maryland State Archives maintains tombstone and cemetery records from selected cemeteries across the state but does not maintain a statewide cemetery inventory.

State Models Beyond Maryland

Almost all states maintain cultural resource databases that include historic cemeteries while approximately 26 states appear to maintain databases dedicated to historic cemeteries exclusively. In most cases, the dedicated cemetery inventories are available to the public online as searchable electronic databases that include baseline documentation. Some states withhold locational data while others identify cemetery locations as points on a mapped data layer within their geographic information system. State agencies charged with the responsibility for maintaining these inventories are variable and include State Historic Preservation Offices, State Archives, State Archaeology Offices, State Cemetery Divisions, Departments of Public Health and others.

In some states – such as Maine, Vermont, New Hampshire and Ohio - cemetery inventories are maintained by statewide nonprofit historical societies or genealogical organizations instead of state government agencies. Kentucky operates its cemetery inventory program as a partnership between the Kentucky State Historic Preservation Office, which provides a cemetery inventory form for use in documenting cemeteries, and the nonprofit Kentucky Historical Society, which coordinates the ongoing volunteer-led Kentucky cemetery census.

Approximately 17 states have developed historic cemetery documentation forms that are designed to collect data from the public in a uniform manner. Forms include categories

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¹ In addition, approximately 377 cemeteries are recorded in the MHT archaeology site files. Archaeology data is not made available to the general public.

such as cemetery name, address or GPS coordinates, number of grave markers, ethnic and/or religious affiliation, documentation of architectural features and landscape design, etc. These forms are designed to be completed by community volunteers who typically submit the forms to the state agency responsible for maintaining and providing public access to the resulting cemetery inventory.

Map-based statewide cemetery inventories identified as providing the best models for Maryland's consideration included those developed by the Alabama Historical Commission, the Pennsylvania Historical and Museums Commission, the Utah Division of State History, the Washington State Department of Archaeology and Historic Preservation, and the Texas Historical Commission. The Workgroup found the Alabama Historical Commission's cemetery inventory to be especially instructive due to its user-friendly interface which includes a filter panel that allows the user to search cemeteries based on a variety of data categories.

Maryland Statewide Cemetery Inventory Recommendations

SB354 required the Workgroup to identify categories for data collection and public search functions for a statewide cemetery inventory system, identify an entity responsible for collecting data and maintaining the system, and determine associated costs with development and maintenance of the system beginning in fiscal year 2027.

Cemetery Inventory Data Categories and System Design

The Workgroup recommends that information about cemeteries and burial sites included in the statewide cemetery inventory be limited to historic and modern cemeteries only.²

Following a review of cemetery inventory systems employed by other states, the Workgroup developed a set of categories for data collection recommended for a State cemetery inventory system which are included in Appendix 3.

The Workgroup recommends crafting the inventory as a web-accessible map-based system using ArcGIS, modeled after MHT's cultural resource information system known as "Medusa." Like Medusa, the cemetery inventory would provide an easy to navigate map-

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² The Workgroup reached out to the Maryland Commission on Indian Affairs regarding the inclusion of pre-contact Native American burial sites in this publicly accessible inventory. Preliminary guidance advised against inclusion of information about these sensitive and culturally significant sites due to concerns about looting. However, more formal consultation with the Commission and Maryland tribes will be needed once development of the inventory system gets underway.

and text-search based interface so that users can zoom in to their area of interest (if using a map search) or open the text search tab if they prefer to conduct a text-based search.

Cemetery sites would appear as points rather than polygons since polygon boundary data can be challenging to collect accurately. ArcGIS would allow the viewer to use different types of map base layers when reviewing the cemetery location and is a product that is already available for use by state agencies at no additional cost.

The cemetery inventory host entity would then seek to import data from cemetery databases developed by local governments and nonprofit organizations in Excel or Access into the master statewide inventory. Once existing cemetery inventories have been exhausted, updates to the statewide inventory can be submitted by individuals using an online fillable form that will be created for this purpose. These individual submissions would be reviewed and vetted by the inventory host entity staff before being uploaded to the statewide inventory.

The inventory search function would permit searches using the cemetery name (common and alternate) or identification number only. Since this is a map-based database, users could also use the map function to search for cemeteries of interest.

Search filters, which would allow the user to aggregate data about particular types of cemeteries when conducting a search, are recommended to include the bulleted list below. This list is a subset of the universe of data categories collected for individual cemeteries. Multiple search terms could be selected by the public user at the same time.

- Cemetery Number
- Cemetery Name
- Other Name(s)
- County
- Cemetery Type (see associated drop down menu in Appendix 3)
- Ownership Type (see associated drop down menu in Appendix 3)
- Year Established
- Number of Burials (range)
- Perpetual Care? (yes or no)
- Restricted Access (Public Access, By Permission Only)
- Listed in SDAT? (include link if available)
- Local Historic Designation? (yes or no)

Inventory Management

The Maryland General Assembly assigned the responsibility for preparation of a statewide burial site inventory to the OCO. Specifically, the Maryland Cemetery Act requires the Director of the OCO to prepare the following report:

"Inventory and assessment. -

(1) Beginning with a report due on December 1, 2008, the Director shall conduct an inventory of all known burial sites in the State and shall update the inventory and report every 5 years to the General Assembly, in accordance with § 2-1246 of the State Government Article, on the number of for-profit cemeteries, nonreligious-nonprofit cemeteries, bona fide religious-nonprofit cemeteries, veterans' cemeteries, and local government-owned cemeteries."

The OCO inventory consists of a digital database that includes over 5,000 entries for cemeteries and burial grounds ranging from large commercial cemeteries to small, family-owned plots. The database includes information on cemetery name, location and a comments field that sometimes includes ownership information. This inventory is used by OCO to support its regulatory enforcement activities related to cemeteries, monument dealers and sellers of burial goods, and crematories that are subject to its authority.

While it is appropriate for OCO to continue to maintain the official statewide cemetery inventory, OCO does not have the capacity or in-house expertise to develop and maintain this inventory in a publicly accessible GIS-based map format which is being recommended for development by the Workgroup. The Workgroup recommends that MHT be charged with undertaking this task in cooperation with OCO and the Maryland State Archives.

MHT maintains a publicly accessible map-based online database of architectural and archaeological sites and standing structures within Medusa. Medusa includes data on properties included in the Maryland Inventory of Historic Properties (MIHP), which includes both architectural resources and archaeological sites, records for National Register of Historic Places properties in Maryland, determinations of eligibility records, and records for properties in the Maryland Historic Preservation Easement program.

While the MIHP includes individual listings for some cemeteries and burial sites³, these cultural resources can also be found within the boundaries of other historic properties, such as churches, farms, and historic districts. Cemeteries documented in this way are harder for researchers to identify without examining the full site records and no search

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³ In addition, some cemeteries are recorded in the MHT archaeology site files. Archaeology data is not made available to the general public.

method exists to extract only those MIHP forms that include cemeteries. A dedicated statewide cemetery layer within Medusa would provide the public with a transparent and accessible statewide cemetery inventory.

Costs for Design, Implementation and Maintenance of Cemetery Inventory

The Workgroup recommends that MHT create the map-based cemetery inventory system using ArcGIS as this product is already available for use by state agencies at no additional cost. MHT would then import data from cemetery databases developed by OCO and other entities into the master statewide inventory which would be available to the public through Medusa and the MD iMAP portal, Maryland's official portal for geographic and location based data. This information could then be used by Maryland Department of Planning staff to update SDAT tax maps with cemetery locational data.

While MHT has in-house staff capable of designing and launching the statewide cemetery data layer, a new Cemetery Program Manager staff position will be needed to conduct ongoing maintenance of and updates to the cemetery inventory. This will ensure that the map-based cemetery inventory remains an up to date and useful tool. Costs associated with creating a Cemetery Program Manager at MHT total approximately \$100,000 annually beginning in FY2027.

Alternatively, once MHT has developed the statewide cemetery data layer, the MSA may be able to maintain the inventory with existing staff provided that updates to the inventory are made no more than four times per year. MSA's estimated costs for maintaining the inventory are limited to costs associated with server support for the database which are estimated at only \$6600 per year beginning in FY2027.

Cemetery Inventory Grant Program Recommendation

The Workgroup was charged with evaluating the feasibility and cost of establishing a grant program to provide financial assistance to governmental entities and nonprofit genealogical and historical organizations to expedite identification of cemeteries. The Workgroup was also directed to recommend a funding amount and source for a grant program beginning in fiscal year 2027.

Key considerations in the development of any grant program include:

- who is eligible to receive grant funds,
- > what the funds may be used for,

- how successful grant applications are selected, and
- who makes the funding determinations.

Answers to these fundamental questions may be addressed broadly in statute, while program regulations address program details that evolve over time as applicants' needs change or new cemetery preservation technologies emerge. The recommendations outlined below are intended to be included in statute.

Eligible Applicants

Eligible applicants should include nonprofit organizations and government entities.

Nonprofit organizations should not be defined in statute as 501(c)(3) organizations since certain applicants for these grants - churches and cemetery preservation organizations - may not meet that requirement. Churches are considered by the IRS to be nonprofit organizations but are not required to file for recognition as a 501(c)(3). While most cemetery preservation organizations are established under IRS rules as 501(c)(3) organizations, this is not always the case.

Eligible Activities

The grant program should allow non-capital activities to support the broad range of historic cemetery identification, research and documentation needs of all types of cemeteries.

These needs include, but are not limited to:

- Updates and revisions to existing county, historical or genealogical organization cemetery records
- Historical research and digitization of records
- Identification and documentation of cemeteries that have not been inventoried previously
- Legal aid to clear title and establish cemetery ownership
- Cemetery mapping and documentation, including photo documentation of cemeteries and funerary objects.
- Inventorying known and identifying unmarked burials within a cemetery or burial ground using ground penetrating radar and other methods

Matching Funds

The Workgroup recommends that applicants provide up to a 25% match. Matching funds can be cash, in the form of a direct financial expenditure on the project, or in kind, representing the monetary value of non-cash contributions like donated supplies or services, volunteer hours, etc. State and federal funds are eligible as matching funds for these grants

Grant Selection Criteria

Grant rating and ranking criteria could include:

- historic and cultural significance of the cemetery;
- > the public necessity and urgency of a project;
- the need for additional sources of funding for a project;
- > the estimated cost and timeliness of executing a project;
- geographic diversity; and
- any other criteria determined to be relevant.

This final criterion provides the entity rating and ranking grant applications with the flexibility to identify funding priorities that may change from year to year as needs arise.

Cemetery Access and Owner Consent

While the Workgroup recommends requiring cemetery owners to cooperate with entities that receive grant funds to inventory and document cemeteries, such a provision would conflict with existing state law. Current law states that owners of a burial site or of the land encompassing a burial site may, but are not required to, grant "reasonable access to the burial site for the purpose of restoring, maintaining, or viewing the burial site." See Md. Code Ann., Real Property § 14-121. Consequently, grant applications for projects that require access to a cemetery will require evidence that grantees have requested and received owner consent for cemetery access.

Grant Program Funding Level

The recommended grant program funding level is an appropriation of \$250,000 in the first year with increases anticipated over time.

Funding Source

Recommended funding sources are general and/or special fund sources to be identified by the Maryland Cemetery Legislative Advocates (MCLA).

Appendix 1: Definitions

Chart of Statutory Uses of "Burial Ground," "Burial Site," "Cemetery," and Other Related Terms

Statutory Term	Statute	Definition	Context of the Statute	Notes			
	Summary: There is no statutory definition, but the term is consistently used to mean ground that "has been dedicated and used for burial."						
	Bus. Reg. § 5-505	Uses the term to mean ground that has been "dedicated and used for burial" and for which burial lots are sold	Regulating the sale of burial grounds				
	Bus. Reg. § 5-506	Same	Same, specific to Baltimore City				
	Rule 14-401	Uses the term to mean ground that has been "dedicated and used for burial purposes" and mentions "lot owners"	Judicial process for selling cemetery property to convert it to another use. Rules 2-111, 2-323, and 14-302 just refer to Rule 14-401	Slightly different from Bus. Reg. § 5-505, which does not use the term "purposes"			
	Provisions that only mention the term "burial ground" without suggesting a definition						
Burial Ground	Local Gov't § 12-519	Uses the term, but without suggesting a definition	Regulating the location of roads				
	Real Prop. § 14-119	Used within definition of "cemetery," but without suggesting a definition	Requiring owner of land to document location of cemetery and notify buyers of land; Carroll County specific				
	St. Fin. Proc. § 5A- 343	Uses the term, but without suggesting a definition	Regulating the use of archaeological, prehistoric, and historic features found in a cave				
	Tax Prop. § 9-261	Uses the term, but without suggesting a definition	Authorizes local governments to grant cemeteries a tax credit against local property taxes				
Burial Group	Summary: The group." See al	e term "burial group" does not appear in any Maryland statute. The Coove.	General Assembly may have meant "burial <i>groui</i>	nd," instead of "burial			

Statutory Term	Statute	Definition	Context of the Statute	Notes
		ere are three statutory definitions of "burial site" that are mostly corbstantive way. *This is the only definition that seems a candidate fo		
Burial Site	Crim. Law § 10-401	Defined: "Burial site means a natural or prepared physical location, whether originally located below, on, or above the surface of the earth, into which human remains or associated funerary objects are deposited as a part of a death ceremony of a culture, religion, or group." "Burial site' includes the human remains and associated funerary objects that result from a shipwreck or accident and are left intentionally to remain at the site."	Definition section for Title 10, Subtitle 4 of the Criminal Law Article; governs the use of the term throughout that Title. Criminal Procedure § 11-602 is also based on this definition, as it cross-references Crim. Law § 10-404 (governing conviction for disturbing burial sites), which is controlled by the definition in Crim. Law § 10-401	
	Real Prop. § 14-121	Defined: "Burial site means any natural or prepared physical location, whether originally located below, on, or above the surface of the earth into which human remains or associated funerary objects are deposited as a part of a death rite or ceremony of any culture, religion, or group; includes the human remains and associated funerary objects that result from a shipwreck or accident and are intentionally left to remain at the site." "'Burial site' includes the human remains and associated	Process by which descendants may seek access to burial sites on private land Sections that cross-reference this provision: Real Prop. § 14-121.1 (requiring consultation with MHT when burials disturbed) Land Use § 5-102 (providing for	Differences from Crim. Law § 10- 401: "any" vs. "a"; slight differences in punctuation and word order; adds death "rite" to death "ceremony"
		funerary objects that result from a shipwreck or accident and are intentionally left to remain at the site."	easements allowing relatives to access burial sites within subdivision) Other provisions that cross-reference Land Use § 5-102: Land Use § 1-401 (listing those provisions that apply in charter counties) and § 10-103 (listing those provisions that apply in Baltimore City)	
	Real Prop. § 14-122	Defined: "Burial site means any natural or prepared physical location, whether originally below, on, or above the surface of the earth into which human remains are deposited as a part of a death rite or ceremony of any culture, religion, or group."	Authorizing local governments to enter into agreements to maintain burial sites	Different from § 14-121 in some non-substantive ways (e.g., omits the word located") and in substantive ways—doesn't mention "associated funerary objects" or shipwrecks

Statutory Term	Statute	Definition	Context of the Statute	Notes			
	Provisions tha	t only mention the term "burial ground" without defining it, suggesti	ng a definition, or referring to another provision	on that provides a definition			
	Real Prop. § 12-112	Uses the term, but without suggesting a definition	Eminent Domain; monetary recovery for removal of personal items or bodies from property				
	_	re are two statutory definitions of "cemetery" that vary in a few way ut without defining the underlying term "cemetery." Several other st					
	Bus. Reg. § 5-101	Defined: "Cemetery means land used or to be used for interment; includes a structure used or to be used for interment." This definition applies to all statutes within Title 5. Cemeteries	Definition section for Title 5 of the Business Regulation Article, which governs the regulation of cemeteries by the Office of Cemetery Oversight within the Department of Labor				
Cemetery	Bus. Reg. § 5-101, continued	Several provisions within Title 5 of the Business Regulation Articl \$ 5-102 ("religious-nonprofit cemetery," "veterans' cem \$ 5-204 ("for-profit cemeteries," "nonreligious-nonprofi \$ 5-304 (cemeteries that are businesses and sell burial \$ 5-603 ("nonprofit cemetery," "for-profit cemetery") \$ 5-803 ("state veterans' cemetery," "veterans' cemete \$ 5-804 ("cemetery for pet remains")	netery," "private family cemetery") t cemeteries," "local government-owned ce goods and cemeteries that are not businesse	meteries")			
	Real Prop. § 14-119	Defined: "Cemetery means the land or structures in Carroll County identified by the Carroll County Genealogical Society that are used for the interment of human remains; and Cemetery includes a grave, burial ground, monument, or gravestone."	Defining and regulating cemeteries in Caroll County Rule 14-401, relating to the judicial process for selling cemetery property, cross-references § 14-119	Different definition than Bus. Reg. § 5-101; applies only in Carroll County			
	Health-Gen. § 4-215	Not defined, but states: "Cemetery includes a crematory or other place for final disposition."	Requirements applicable to cemeteries before they may accept fetal human remains for burial	Different definition than that used in Bus. Reg. Title 5			
	Statutes that define different types of cemeteries, but without defining the term "cemetery"						
	Crim. Law § 10-401	Defines the term "permanent cemetery" as "a cemetery that is owned by: (1) A cemetery company regulated under Title 5 of the Business Regulation Article; (2) a nonprofit organization; or (3) the State."	Definition section for Title 10, Subtitle 4 of the Criminal Law Article; governs the use of the term throughout that Title	Includes a cross- reference to a cemetery company" under Bus. Reg. Title 5			

Statutory Term	Statute	Definition	Context of the Statute	Notes
	State Gov. § 9-906	Defines the term "state veterans' cemetery" as "a cemetery that the Department establishes under this section."	Defines and regulates state veterans' cemeteries	None of the other statutes that also refer to "state veterans' cemetery" (e.g., Bus. Reg. § 5-803) defines the term or refers to this statute
	Provisions that	t only mention the term "cemetery" without defining it, suggesting a	a definition, or referring to another provision t	that provides a definition.
	Crim. Law § 10-403	Uses the term, but without suggesting a definition	Criminal enforcement against selling or buying unlawfully removed human remains or funerary objects	Statute includes both "cemetery" and "burial siting"
	Crim. Law § 10-404	Uses the term, but without suggesting a definition	Criminal enforcement against indecent conduct in a cemetery, including tampering with funerary objects.	Statute uses "cemetery" on its own and uses the phrase "cemetery or burial site"
	Environment § 9-668	Uses the term, but without suggesting a definition	Condemning land; purchase or purchase rights condemnation, condemnation of cemeteries	
Cemetery, continued	Pub. Util. § 21-102	Uses the term, but without suggesting a definition	Regulating when land used for cemetery purposes may be condemned	
	Real Prop. § 14-121	Uses the term, but without suggesting a definition	Regulating who has access to burial sites	Statute mentions public and private cemeteries; defines "burial site" but not "cemetery"
	Rule 12-204	Uses the term, but without suggesting a definition	Rule regulating the acquisition of a cemetery, specifically giving notice	
	State Fin. & Proc. § 10- 309	Uses the term, but without suggesting a definition	Regulating cemeteries owned by the state; regulating sale, easements or right of entry to a cemetery, and perpetual care	
	Tax-Prop. § 7-201	Uses the term, but without suggesting a definition	Provides exemptions to property not subject to property tax	Term used is "cemetery company"

The statute charged the workgroup with evaluating the statutory definitions of the terms identified above but also "any related terms" used in Maryland statutes. The following terms may be considered "related" to those identified in the bill.

Statutory Term	Statute		Definition	Context of the Statute			
	Summary: The term "gravesite" is never explicitly defined in statute, but it is used in a couple different places.						
Gravesite	Environment § 9- 668		Uses the term, but without suggesting a definition	Limiting power of sanitary district to condemn property within cemetery			
	Pub. Util. § 21	1-102	Uses the term, but without suggesting a definition	Governing WSSC's power to condem cemetery	n land within		
			'associated funerary object" arises in several different sta stantive ways.	ntutory provisions, but is defined in only	two places, which defin	e the term	
Associated Funerary Object	Crim. Law § 10-401			Definition section for Title 10, Subtitle 4 of the Criminal Law Article; governs the use of the term throughout that Title. See, e.g., Crim. Law § 10-403 (removal of human remains or funerary objects); § 10-404 (destruction of cemetery and funerary objects)	Different from St. Fin. 333 in several ways.	& Proc. § 5A-	
	State Fin. Proc. § 5A- 333	are re	ed: "Associated funerary objects means objects that asonably believed to have been placed with individual n remains as a part of the death rite or ceremony of a e."	Definition section for Title 5A, Subtitle 3 of the State Finance & Procurement Article; governs the use of the term throughout MHT provisions. See, e.g., § 5A-339 (objects found at archaeological sites)	Different from Crim. L in several ways	.aw§10-401	
	Provisions that only mention the term "associated funerary object" without suggesting a definition or referring to another provision providing a definition						
	Real Prop. § 14-121	Uses the term, but without suggesting a definition		Regulating who has access to burial sites	As introduced in 1994 included a definition, Crim. Law § 10-401. It during the legislative	identical to t was deleted	
Unassociated Funerary Objects	N/A						
Graveyard	N/A						
Burial Transit Certificate	N/A						
Burial Transmittal	N/A						

Statutory Term	Statute	Definition	Context of the Statute	Notes
Potter's Field	N/A			
Neglected Cemetery	Bus. Reg. § 5-805	Defined: "a cemetery for which: (I) two or more citations have been issued by a county or municipal corporation against the property for failure to maintain the property; (II) the property has fallen into disrepair due to neglect and insufficient maintenance; (III) the property has been the object of vandalism, loitering, or other criminal conduct; or (IV) there has been physical destruction or deterioration of the property."	Establishes the Abandoned and Neglected Cemeteries Fund	
Abandonad	Crim. Law § 10-404	Uses the term, but without suggesting a definition	Criminal enforcement against indecent conduct in a cemetery, including tampering with funerary objects	
Abandoned Cemetery	Bus. Reg. § 5-805	Defined: "a cemetery for which: (I)(1) The organization established to engage in the operation of the cemetery has been terminated, has been subject to administrative dissolution by the state, or has otherwise ceased to exist; and (2) Title has not been conveyed; (II)	Establishes the Abandoned and Neglected Cemeteries Fund	
	Bus. Reg. § 5-101	Defined: "all final disposition of human remains or pet remains, including: (1) earth burial; (2) mausoleum entombment; and (3) niche or columbarium Internment"	Definition section for Title 5 of the Business Regulation Article, which governs the regulation of cemeteries by the Office of Cemetery Oversight within the Department of Labor. See, e.g., § 5-603 (requiring trust fund for perpetual care of cemeteries)	
Interment	Real Prop. § 14-121	Uses the term likely as a synonym for buried	Process by which descendants may seek access to burial sites on private land	Uses "interred"
	Real Prop. § 14-121.1	Uses the term likely as a synonym for buried	Requiring consultation with MHT when burials disturbed	Uses "interred"
	Crim. Law § 10-401	Uses the term likely as a synonym for burial	Definition section for Title 10, Subtitle 4 of the Criminal Law Article	
Entombment	Bus. Reg. § 5-801	Uses the term, but without suggesting a definition	Governs contracts for sales of burial goods	Used in the context of "mausoleum entombment"
Entombment	Bus. Reg. § 5-710	Uses the term, but without suggesting a definition	Governs preened burial contract records	Used in the context of "mausoleum entombment"

Statutory Term	Statute	Definition	Context of the Statute	Notes
	Bus. Reg. § 5-101	Uses the term, but without suggesting a definition	Definition section for Title 5 of the Business Regulation Article, which governs the regulation of cemeteries by the Office of Cemetery Oversight within the Department of Labor	Used in the context of "mausoleum entombment" as the definition for "interment"
Burial Goods	Bus. Reg. § 5-101	Defined: "goods that are used in connection with burial. Includes: (I) a casket; (II) a grave liner; (III) a memorial; (IV) a monument; (V) a scroll; (VI) an urn; (VII) a vase; and (VIII) a vault."	Definition section for Title 5 of the Business Regulation Article, which governs the regulation of cemeteries by the Office of Cemetery Oversight within the Department of Labor	Also defines "Burial goods business" as a business that provides "burial goods"
Burial Space	Bus. Reg. § 5-701	Defined: "land or space in a structure used or to be used for burial. Includes a burial right in the land or space."	Definition section for Title 5 Subtitle 7 of the Business Regulation Article, which governs Preneed Burial Contracts	

Appendix 2: Inventory of Local Government Cemetery Inventory Programs

County	Lead Entity	Documentation Practices	Inventory Systems	Documented Cemeteries
Allegany	Allegany County Office of Planning and Zoning	Cemetery data from Allegany County Rural Cemeteries, a 1990 publication by the Genealogical Society of Allegany County, has been used to populate the county's cemetery inventory. New additions to the inventory are encouraged and accepted from the public; they are added to the inventory as they are received.	The county's cemetery inventory exists as a GIS layer that is available to the public. Note that the inventory generally includes cemeteries where multiple grave sites are located and does not necessarily document single burial sites.	183
Anne Arundel	Anne Arundel County Planning and Zoning	The county has an active Preservation Stewardship Program and collaborates closely with local groups, volunteers, and citizens to encourage data-sharing on cemetery locations and to keep the cemetery database up- to-date, which is continuously under review.	Cemetery inventory is included in a GIS layer that is available to the public.	500+
Baltimore City	Baltimore City Dept. of Planning	City identifies cemeteries as open space on zoning map.	No inventory maintained by the city government.	N.A.
Baltimore	Baltimore County Dept. of Planning	County maintains information about locally designated historic sites that include cemeteries,	No inventory maintained by the county government.	N.A.
Calvert	Calvert County Office of Planning and Zoning	The county has created a cemetery inventory using and expanding upon data provided by the Calvert County Historical Society.	The inventory is maintained as a GIS data layer and is not publicly accessible.	77
Caroline	Caroline County Planning and Codes	The county does not maintain a standard intake form, but if a burial site is reported, staff conduct deed and plat research before adding the cemetery to the inventory in the GIS data layer.	The county includes known cemeteries in a GIS layer that is not available to the public	130
Carroll	Carroll County Dept. of Planning and Land Management	The county adds cemetery data and edits errors to the inventory as information is made available by citizens, field staff, or as a result of submitted development plans.	Cemetery inventory is included in a GIS layer that is available to the public.	201
Cecil	Cecil County Department of Land Use and Development Services	The county maintains an inventory of cemetery data that was last updated in 2020.	Cemetery inventory is included in a GIS layer that is available to the public.	73
Charles	Charles County Planning and Zoning Office	The county maintains a cemetery inventory which is updated as new cemeteries and burial grounds are recorded in the county land records.	The county's cemetery inventory is maintained in a GIS data layer that is available to the public.	98

County	Lead Entity	Documentation Practices	Inventory Systems	Documented Cemeteries
Dorchester	N.A.	N.A.	No inventory maintained by the county government.	N.A.
Frederick	Livable Frederick Planning and Design Office	County cemetery database includes data from the 1966 book, Names in Stone, as well as locational information for additional cemeteries identified since that time.	The county maintains the cemetery inventory in a GIS data layer that is not available to the public.	
Garrett	N.A.	N.A.	No inventory maintained by the county government.	N.A.
Harford	Harford County Department of Planning and Zoning	Historic cemeteries are documented as architectural sites through the MIHP either individually or as contributing elements to larger historic sites or districts.	The county government does not maintain a discrete cemetery inventory.	N.A.
Howard	Howard County Department of Planning and Zoning	The Howard County Department of Planning and Zoning (DPZ) and the Cemetery Preservation Advisory Board (CPAB), through the efforts of many volunteers such as the Howard County Genealogical Society, began a Countywide cemetery survey in 2014.	Legislation that authorized the Cemetery Preservation article in the county code established an inventory of all known cemeteries to be administered by the Howard County Department of Planning and Zoning, in cooperation with the Cemetery Preservation Advisory Board. Department of Planning and Zoning has created a GIS layer in its land use system that shows locations of known cemeteries.	200+
Kent	N.A.	N.A.	No inventory maintained by the county government.	N.A.
Montgomery	Montgomery County Planning Department	Section 33A-17 of the County Code requires the Montgomery County Planning Board to maintain an inventory of burial sites in the county. County law requires that the inventory be made public, with precise locational information redacted in some cases as provided in our guidelines. County staff are continuing to conduct research to identify and document burial sites and are in the process of preparing a county-wide historic context for cemeteries.	The Planning Department maintains the burial site inventory as part of a GIS data layer and makes it available to the public through the MCAtlas web portal.	324
Prince George's	Prince George's County Planning Division	County staff document cemeteries on architectural MIHP forms if there are above ground features and on archaeology site forms if there are no above ground features. In addition, there is a cemetery documentation form online that can be filled out by members of the public and sent to the Historic Preservation Section.	The county maintains a point layer in GIS that documents the locations of cemeteries. This is available to the public in PGAtlas online (PGAtlas.com).	236

County	Lead Entity	Documentation Practices	Inventory Systems	Documented Cemeteries
Queen Anne's	N.A.	N.A.	No inventory maintained by the county government.	N.A.
Somerset	N.A.	N.A.	No inventory maintained by the county government.	N.A.
St. Mary's	N.A.	N.A.	No inventory maintained by the county government.	N.A.
Talbot	N.A.	N.A.	No inventory maintained by the county government.	N.A.
Washington	Washington County Planning and Zoning Department	The county has created a cemetery inventory using data collected from MIHP forms, property research conducted by staff and information submitted by the public. The county maintains a cemetery story map and shares this documentation on a resource map compiled by the Historic District Commission.	The county maintains a cemetery dataset in a GIS data layer that is accessible to the public.	146
Wicomico	Wicomico County Planning, Zoning and Community Development	Most cemetery information is derived from research conducted by local historian, James Trader, and from Find a Grave.	The county maintains a cemetery dataset in a GIS data layer that is accessible to the public.	513
Worcester	Worcester County Government	The county created a cemetery inventory using data based on the research of local historian James Trader which is updated as new burial sites are identified as part of the development review process.	The county maintains the cemetery inventory as both a paper record and as a GIS data layer. Both are available to the public upon request.	248

Appendix 3: Cemetery Inventory Database Fields

Individual Data Fields⁴

A unique identifier is assigned by the database manager, called a State Cemetery Record #, and will likely include an abbreviation for the county in which the cemetery is located, e.g., CM-AA-1.

1) Cemetery Name (2 fields)

- Cemetery common name* fill in the blank
- Cemetery AKA This data field can have multiple names included each one separated by a semi colon.

2) Locational Information (10 fields)

- Street Address* This category can be a specific street address or a narrative description.
- City* Fill in the blank
- County Code* Drop down menu
- Zip code* Fill in the blank
- State* Drop down menu
- ➤ Latitude* Fill in the blank
- Longitude* Fill in the blank
- ➤ Lat/Long estimated?* Yes or no question
- ➤ USGS Quadrangle name These are the 1:24,000-scale topographic maps, also known as 7.5-minute quadrangles. There are 213 USGS quadrangle maps for Maryland should this be a drop down menu?
- Tax parcel ID Fill in the blank; Note not all cemeteries will have this.
- ADC Map Location Fill in the blank

3) Descriptive Information (21 fields)

- Cemetery type* Drop down menu (see Question 1 in the Data Fields with Drop Down Menu section below)
- Restricted access?* Provide two options: 1. Public Access; 2. By Permission Only
- Year cemetery established, if known Fill in the blank
- Date of oldest burial as indicated on grave marker Fill in the blank
- Does the cemetery include reinterments of individuals whose death dates pre-date the establishment of this cemetery? – Fill in the blank

⁴ Each required field will be marked with an asterisk (*)

- # of marked graves Use drop down menu with number range. (see Question 2 in the Data Fields with Drop Down Menu section below)
- # of unmarked graves Use drop down menu with number range. (see Question 3 in the Data Fields with Drop Down Menu section below)
- Are burials ongoing? Yes or no question with fill in the blank to describe activity level.
- > Cemetery size (in acres) Fill in the blank
- ➤ Is acreage based on survey data or is it estimated? Provide two options surveyed or estimated with fill in the blank for the year in which the survey was conducted if applicable.
- ➤ Is the cemetery boundary marked? Yes or no question (must clearly describe in instructions what is meant by this question fencing, etc., vs. surveyed)
- ➤ Is the cemetery abandoned? Yes or no question
- Cemetery condition/disposition? Drop down menu (see Question 5 in the Data Fields with Drop Down Menu section below)
- Cemetery condition record date? Fill in the blank
- Does the cemetery have a historic designation? Yes or no question
- Perpetual Care cemetery? Yes or no question
- Type of ownership Drop down menu (see Question 4 in the Data Fields with Drop Down Menu section below)
- Owner name and contact information Fill in the blank
- Ownership SDAT record Fill in the blank for link to SDAT record

4) Surveyor Data (3 fields)

- Name of surveyor Fill in the blank
- Contact information Fill in the blank
- Date of survey* Fill in the blank

5) Links to Additional Resources (9 fields) – select all that apply

- OCO registration number
- ➤ MIHP number
- Local historic landmark identification number
- County cemetery inventory number
- Genealogical society identification number
- Cemetery website link Fill in the blank
- Find a Grave link Fill in the blank
- ➤ Billion Grave link Fill in the blank
- Notes Fill in the blank

Data Fields with Drop Down Menu

1) Type (additions to drop down categories ongoing) – select more than one

- African American
- Animal Cemetery
- Animal and Human Cemetery
- Indigenous/Native American Burial Grounds/Site
- Colonial/Early American
- Burials of the formerly enslaved
- Family Plot/Cemetery
- Fraternal/Community
- Government (Municipal, State, Town)
- Green Burials
- Institutional (prisons, sanitoriums, alms houses, mental institutions)
- Mass Burials (epidemics)
- Memorial Park
- Military
- > Potters Field
- Religious/Benevolent Societies (with fill in the blank)
- Transitional (change religions)
- Veteran Cemetery
- Unknown
- Other (fill in the blank)

2) # of Marked Graves

- **▶** 1-10
- ➤ 11-20
- **>** 21-100
- > 100 or more
- > Fill in the blank to describe how marked

3) # of Unmarked Graves

- Unknown
- ▶ 1-10
- **>** 11-20
- **>** 21-100
- > 100 or more
- > Fill in the blank to describe how identified

4) Type of Ownership

- > For profit
- ➤ Not for profit
- Private-individual/family
- Municipal
- County
- > State
- > Federal Lands
- > Federal Military
- Native American
- > Foreign
- Unknown
- Other

5) Disposition

- Actively Maintained
- Not Maintained
- Destroyed
- Relocated
- > Removed
- Developed