

November 1, 2005 Board Policy

Scattering of Cremated Remains on Park District Lands

Policy Statement

The purpose of this policy is to establish appropriate guidelines for the scattering of cremated human remains on East Bay Regional Park District lands consistent with California Health and Safety Code Section 7116. This policy also establishes appropriate guidelines for the scattering of cremated remains of animals or pets.

The East Bay Regional Park District "Park District" permits the scattering of legally cremated human or animal remains under certain limited conditions. A permit must be obtained in advance from the Park District prior to the scattering of any cremated remains. The Park District's Operations Division staff will develop and manage an application and permit system.

Permits will only be issued to friends, family members, and others individually responsible for the scattering of cremated remains of a single person or animal. A nominal processing fee will be charged to secure a permit. Permits will not be issued to mortuaries, crematoriums, funeral directors, or similar entities or individuals that scatter cremated remains as a commercial enterprise.

Guidelines for Issuing Permits to Scatter Cremated Remains

The following conditions shall apply to any permit issued for the scattering of cremated remains. The Assistant General Manager of Operations may specify additional conditions or restrictions to any permit.

1. Written documentation from a mortuary or crematorium identifying the cremated remains as such must be provided to the Park District with the permit application.
2. The scattering of cremated remains is prohibited within 500 feet of; any known archeological, historical, or Native American ceremonial site, any residence, park structure, or public use area, any swimming pool, lagoon or beach, any reservoir, lake, stream, pond, or other bodies of water, any designated nature study area, wetland, marsh, or any other area specifically restricted by action of the Assistant General Manager of Operations.
3. No memorials, plaques, containers, markers, flowers, or other ceremonial materials of any kind shall be left on site after the completion of the scattering process. Digging, planting, trimming, mowing, or modifying park features in any way is prohibited.
4. Cremated remains must be sufficiently scattered to not be readily visible by others.
5. A separate Special Events permit must be obtained from the Park District in addition to the cremated remains permit when the permittee anticipates that 50 or more people will attend the scattering ceremony. The scattering ceremony shall not impact the normal recreational use of the park.

6. The permittee shall have the permit in his/her possession when scattering cremated remains and shall show the permit to any Park District staff member upon request.
7. Permits to scatter cremated remains shall not entitle permittee to any special access rights. All regular posted park hours and use regulations shall apply. Park fees will not be waived for ceremonies associated with the scattering of cremated remains.
8. The scattering of cremated remains from an aircraft is not permitted.

The Park District makes no commitment or promise to treat areas where scatterings occur as sacred or memorial sites of any kind. Normal park uses, including public recreation, maintenance and operations activities shall continue without regard to the presence of cremated remains. The Park District shall not be responsible for maintaining records of permits, names of the deceased, or locations of scattered remains.

The Assistant General Manager of Operations will be the final source of appeal with regard to any disputes regarding this policy.