

**SB1137 FIRST IMPLEMENTATION REGULATIONS**

**PUBLIC COMMENT SUMMARY AND RESPONSE  
SECOND REVISED TEXT**

**Public Comment Period:  
November 20, 2025, to December 11, 2025**

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## INTRODUCTION

The following comments, objections, and recommendations were made regarding the proposed SB 1137 First Implementation Regulations rulemaking action during a public comment period beginning November 20, 2025, and ending December 11, 2025. Over the course of the public comment period, the California Geologic Energy Management Division (CalGEM) of the Department of Conservation (Department) received a number of public comments via email and public comment hearing. These comments ranged from support for and opposition to the regulations to general concerns about oil and gas activities and suggested modifications to the regulations.

To facilitate the process of reviewing and responding to comments, the Department assigned a unique numerical signifier to each comment. This signifier consists of three components: first, a unique commenter number assigned to each commenter (listed in the table below); second, a separating hyphen; and third, a sequential number assigned to each comment from the identified commenter. Within this document, you will find either grouped or individual numerical signifiers, followed by a comment summary or a specific comment repeated verbatim, followed by the Department's response (*italicized*). Comments are grouped by subheadings indicating similar comment topics.

## INDIVIDUAL COMMENTERS

<b>Commenter Number</b>	<b>Name and/or Entity</b>
001	Adam Hersko RonaTas
002	Marvin St Pierre
003	James Baker
004	Penelope LePome San Francisco Waldorf High School
006	Kyle Bracken
007	Greg Chick
008	Susan Holper
009	Eric Pash
010	Dan Coleman
011	John Moran
012	Michael Salman
013	VISION
014	Philip Hess, County of Ventura
015	Diego Vasquez

## **ACRONYMS**

CalGEM	California Geologic Energy Management Division
CCR	California Code of Regulations, title 14
HPZ	Health Protection Zone
NOI	Notice of Intention
PRC	Public Resources Code

## COMMENTS

### **Section 1765.1 - Definitions**

013-2

CalGEM should add a regulation stating, "For purposes of SB 1137, all parks are considered sensitive receptors." While CalGEM has made public statements agreeing that "all parks are considered sensitive receptors" in the March 19-20, 2025 public workshops and the August 1, 2025 Initial Statement of Reasons, it is important that this plain language reading of the law appear in the regulations to protect the health of frontline communities and preempt contrary arguments by industry.

**Response to 013-2:** *CalGEM has reviewed the comments and determined that no regulatory amendments are necessary. PRC section 3280, subdivision (c)(2), and proposed CCR section 1765.1, subdivision (c)(1), already both list park, without limitation, as an example of an education resource sensitive receptor. Further elaboration to make the same point is not needed and might cause confusion around other education resources and why they were not also separately called out for duplicative treatment.*

### **Section 1765.3 - Additional Requirements for a Notice of Intention**

001-4

The precautionary principle is not adopted. Operators may still drill within a setback if a "threat to public health or the environment" is invoked, and waivers may be granted when delays pose risks. This creates a case-by-case exception structure rather than a firm commitment to err on the side of life.

**Response to 001-4:** *CalGEM has reviewed the comments and determined that no regulatory amendments are necessary. SB 1137 expressly authorizes approval of NOIs to prevent or respond to a threat to public health, safety, or the environment.*

014-4

The commenter asks whether there will be a process to appeal the determination should an Operator be disapproved to perform work within any HPZ, and if so, to whom.

**Response to 014-4:** *CalGEM has reviewed the comment and determined that no regulatory amendments are necessary. SB 1137 does not require an administrative*

*appeal process. There are various reasons why an NOI may be denied, but in each case, CalGEM will give notice to the operator about what is missing or inadequate and an opportunity to supplement the operator's submittal or otherwise attempt to address a deficiency before CalGEM issues a denial.*

#### **Section 1765.4 - Water Sampling and Testing**

012-1

SB 1137 and PRC 3284 unambiguously require public notification before commencement of "any work" in all projects undertaken pursuant to an approved Notice of Intent in a health protection zone, not just in projects that involve drilling. The first clause of PRC 3284(a) is not limited to drilling, but creates a requirement of Notification for "any work that requires a notice of intention under Section 3203 in the health protection zone." Then PRC 3284 uses the word "and" to mandate an additional requirement that applies in the specific circumstance of projects that involve drilling. In PRC 3284, the legislature did not create exceptions to notification and it did not limit notification to drilling, only. The legislature required notification for "any work" in a Health Protection Zone that requires a Notice of Intent. If the legislature wanted this to apply only to drilling, it would have specified drilling in the first clauses of PRC 3284 and then the reference to PRC 3203 that defines all of the types of projects requiring Notices of Intent would have been contradictory.

012-2

Legislative Counsel's Digest of SB 1137 provided an unmistakable statement on the requirements for notification and sampling in the Legislative Counsel's digest of SB 1137. The proposed regulations improperly conflict with the letter of the statute and SB 1137, and also the intent of SB 1137. As a bill prior to enactment, the drafter said SB 1137 would require public notification within the Health Protection Zone applies to all work pursuant to an approved Notice of Intent, "and would also" mandate compliance with water testing requirements, "as provided" in the proposed statute. The text of PRC 3284(a) makes water testing subsidiary to the primary and broader requirement of public notification, and the drafter of the bill restated this even more definitively in the Legislative Counsel's Digest with the words "and would also." The Legislative Counsel's words "as provided" refers to the way that PRC 3284 limits the water testing requirement to drilling projects. The letter of the statute and the Legislative Counsel's Digest are congruent on the requirement that public notice must be made before commencing "any work" pursuant to any Notice of Intent in a Health Protection Zone, and that there is an additional requirement for operators to offer testing of water wells and surface water on private property when their project includes drilling.

012-3

In the "First Revised Draft" of the proposed regulations, CCR 1765.3(e) restricts notification procedures under 1765.4.1 to projects involving drilling, only. As proposed, CCR 1765.3(e) says: "If a notice of intention submitted under Public Resources Code section 3203 is for a well with a wellhead that is within a Health Protection Zone and the planned work involves drilling, then the operator shall comply with Section 1765.4 and Section 1765.4.1 neighbor notification and water sampling and testing requirements unless waived by the Division." This conflicts with the statute and needs to be deleted entirely or rewritten in conformance with PRC 3284(a).

012-4

Proposed sections 1765.4 and 1765.4.1 should be swapped in sequence because the public notification requirement of SB 1137 is primary and broader than the well water and surface water testing requirement. Water testing is subsidiary to the requirement set by SB 1137 to give public notice within a Health Protection Zone before the commencement of "any work" pursuant to an approved Notice of Intent.

012-5

The current text of Section 1765.4.1 on "Notice to Property Owners and Tenants" - which should be renumbered as 1765.4 - should be revised to say clearly at its outset that public notification is required before "any work" pursuant to an approved Notice of Intent, including rework projects and abandonment projects as well as drilling and re-drilling projects, as the statute requires. The Sub-Section currently numbered 1765.4.1(a)(2) - which should be numbered 1765.4(a)(2) - on the requirement to offer water testing after drilling should be revised to make it clearer that this is an additional requirement that applies when the project being given public notification involves drilling, so as to prevent any lingering confusion given the history of this matter. As the proposed regulation is currently written, this Sub-Section wrongly implies that only projects involving drilling will be required to notify the public in Health Protection Zones.

**Response to 012-1, 012-2, 012-3, 012-4, and 012-5:** CalGEM has reviewed the comments and determined that no regulatory amendments are necessary. Although the first clause of PRC section 3284 references "any work" there is no other indication in section 3284 that a general notice about work happening was intended. The opening subdivision directs operators to "contact" property owners and tenants, not "notify" them, and offer to sample and test before and after drilling. The only references to "notice" or "notify" to property owners and tenants are in subdivisions (b) and (c), which are entirely focused on timing around drilling. If general notification was intended

for any work, there should be some indication of what information would be required in the notice, but there is no content requirement, and if no drilling is involved, no timing is specified other than before work commences. Conversely, the entirety of section 3284, other than the reference to “any work,” is focused entirely on the sampling and testing before and after drilling, and related requirements.

The Office of the Legislative Counsel prepares the legislative digest to summarize changes the bill would make to current law. The digest can be helpful to understand legislative history when a law is unclear, but the digest is not legally binding.

### **Section 1765.4.1 - Notice to Property Owners and Tenants**

014-5

The commenter asks if there will be a process for questions, concerns, or complaints should a property owner or tenant request to receive sampling and testing of water wells from an Operator.

**Response to 014-5:** CalGEM has reviewed the comment and determined that no regulatory amendments are necessary. A property owner or tenant can ask questions of the operator or can contact their local CalGEM district office if the property owner or tenant has a question, concern or complaint related to a sampling and testing request.

### **Section 1765.6 – Annual Submission of Sensitive Receptor Inventory and Map**

014-1

The commenter asks what methodology, tool or ways CalGEM will provide to operators to prepare maps showing locations and types of sensitive receptors.

**Response to 014-1:** CalGEM has reviewed the comment and determined that no regulatory amendments are necessary. CalGEM has provided templates and guidance on its public website for operators preparing sensitive receptor maps.

014-2

The commenter contends CalGEM should ensure that local agencies are not unnecessarily burdened by responsibilities placed on operators.

**Response to 014-2:** CalGEM has reviewed the comment and determined that no regulatory amendments are necessary. The proposed regulations apply to operators and do not impose requirements for operators to contact local agencies, but CalGEM cannot prevent an operator from contacting other public agencies. If an operator has

a question about compliance with SB 1137 requirements, operators should contact their local CalGEM district office.

014-3

The commenter asks how often will locating sensitive receptors and updating health protection zone area maps occur.

**Response to 014-3:** CalGEM has reviewed the comment and determined that no regulatory amendments are necessary. Sensitive inventories and maps are due annually by July 1, and with every NOI submitted for well work in an HPZ.

014-6

The commenter asks who will verify the accuracy of annual operator submissions.

**Response to 014-6:** CalGEM has reviewed the comment and determined that no regulatory amendments are necessary. PRC section 3285, subdivision (c), requires that CalGEM review for completeness and accuracy no less than 30 percent of the inventories and associated maps submitted annually.

### **Section 1765.9 – Determination That a Location is Not Within a Health Protection Zone**

013-1

We oppose CalGEM deleting the requirement in section 1765.9 that would place the burden on operators alleging that a location does not fall within a health protection zone to prove they have conducted a proper sensitive-receptors investigation as it relates to parks. Instead, we support the August 1, 2025, version of section 1765.9(a)(1)(B) of the regulations, which would require operators to provide a statement identifying “[a]ll areas open to the public for outdoor recreation” within 3,200 feet of the proposed drilling location. We also support the clarification in the October 31, 2025 version of section 1765.9(a)(1)(B) that such areas may qualify for the protection afforded to parks “whether or not formally named a park.” Past comments from industry trade groups illustrate the need for a clarifying regulation on this issue. By law, the term “[s]ensitive receptor means . . . [a]n education resource, including a . . . park [or] playground . . . .” In other words, the Legislature determined that all parks are education resources and, therefore, all parks are sensitive receptors entitled to SB 1137’s protections. While the statutory language itself is clear, it appears that members of the Western States Petroleum Association (WSPA) and, possibly, the California Independent Producers Association (CIPA), may intend to ignore a significant percentage of parks when conducting sensitive-receptor investigations under SB 1137.

In particular, WSPA has claimed that SB 1137 only protects parks that are “connected with or adjacent to” other types of education resources like schools. WSPA’s interpretation cannot be squared with the plain language of SB 1137. The suggestion that operators may ignore this plain language warrants a preemptive regulatory response to ensure legal compliance on the front end, rather than the expenditure of substantial time and resources attempting to enforce compliance after the fact. Accordingly, CalGEM should add to the regulations a hybrid of the August 1 and October 31 versions of section 1765.9(a)(1)(B), requiring operators to disclose “All areas open to the public for outdoor recreation, whether or not formally named a park.”

**Response to 013-1:** *CalGEM has reviewed the comments and determined that no regulatory amendments are necessary. CalGEM agrees that parks are education resources but CalGEM has removed previously proposed section 1765.9, subsection (a)(1)(B), relating to “areas open to the public for outdoor recreation” to reduce confusion as to what is required to be identified. If CalGEM identifies an outdoor recreation area open to the public as a potential park, a sensitive receptor, section 1765.9, subdivision (a)(1)(B), requires an operator to explain in its statement why the potential park feature should not be considered a park. If an operator does not identify a potential park in its statement or the potential park is identified but the operator does not sufficiently demonstrate that feature is not a park, then the well or production facility location is within an HPZ in accordance with section 1765.9, subdivision (d).*

## **Regulatory Documents**

### *Economic Impact Assessment*

015-1

While the bill’s intent is to primarily protect public health, it is important to also realize its impact creates serious detriment and disproportionate harm to small businesses. For large operators the 3,200’ setback along with other requirements creates a major problem, but for small and independent producers it essentially impedes any potential for increased production and thus will force all smaller operations to permanently cease. Unlike bigger operators, small operators don’t have enough capital reserves, do not have the ability to circumvent any setback zones and rely solely on a single or handful of producing fields. It burdens small businesses who lack the procurement flexibility and financial buffers that large corporations have. It creates a climate where only the largest corporations can stand a chance of economic survival. This abrupt change to the rules halts ongoing projects, devalues existing investments and will deter capital financing and undermine confidence in long-term planning. The result is

contraction rather than compliance and will inadvertently punish the very groups it's supposed to help such as small employers and working-class families.

**Response:** CalGEM has reviewed the comments and determined that no changes to the regulation are necessary. The economic impact assessment is focused on the impact of the regulations, which does not include the impact of the statute.

015-2

Limiting in-state production will obviously force reliance on imported oil which will cause higher costs and even higher carbon emissions, since greenhouse gases don't stop at political boundary lines. It appears this senate bill was hastily implemented without the benefit of sound scientific/statistical, engineering, economic or even environmental/safety review and blatantly ignores operator size and technological alternatives.

**Response:** CalGEM has reviewed the comments and determined that no changes to the regulation are necessary. The economic impact assessment is focused on the impact of the regulations, which does not include the impact of the statute.

015-3

SB 1137 goes against California's supposed goal to allow fair business practices and support a diverse and competitive marketplace for all business operations. A balanced approach is possible, but SB 1137 is not a fair approach, there is still the ability to protect public health while supporting economic stability. Alternative solutions include focusing on individual risk-based assessments on a case-by-case basis instead of forcing all to follow the same mandatory thresholds, allowing appropriate engineering and emissions controls and tailored mitigation programs for smaller operations. High risk sites can be prioritized instead of scrutinizing every single site. Exceptions can be provided which would allow compliance pathways for small operators where measurable performance and environmental standards can be applied while upholding California's goal of diverse and fair practice. please reconsider or amend SB 1137 to ensure public health without eliminating small businesses, undermining local economies and damaging the state's energy reliability.

**Response:** CalGEM has reviewed the comments and determined that no changes to the regulation are necessary. These regulations are intended to clarify the statute but cannot eliminate its provisions.

## **Comments in Support of the Rulemaking**

004-1

As a California resident, Commenter is writing to express strong support for the full implementation of SB 1137 and the public health and safety protections that it provides. Oil and gas leaks, spills, and other incidents continue to cause major health emergencies throughout the state, illustrating the importance of the rules. However, I have concerns is that these implementation regulations fall short of ensuring the full protections our state's residents deserve. Commenter appreciates the crucial progress this law represents in limiting community exposure to harmful oil and gas pollutants. However, it is imperative that these regulations are interpreted broadly and remain focused on protecting the health and safety of our communities, regardless of fossil fuel industry influence.

**Response:** *CalGEM has reviewed the comments and determined that no changes to the regulation are necessary. CalGEM has interpreted the regulations to implement the intent of SB 1137.*

005-1

*Commenter strong supports the prohibition on new oil and gas well drilling and the construction of new production facilities within the 3200-foot health protection zone established around our school, as mandated by Public Resources Code section 3281. This measure is essential for creating a safe and health learning environment. Commenter supports the required implementation of robust pollution and noise controls for any existing operators within the health protection zone statewide. Commenter supports the detailed requirements in section 1765.4 and 1765.4.1 for mandatory baseline and follow-up water sampling and testing when drilling is involved near sensitive receptors.*

**Response:** *Thank you for your support. CalGEM has reviewed the comments and determined that no changes to the SB 1137 First Implementation Regulations rulemaking package are necessary.*

## **Comments in Opposition to SB 1137**

002-1

Commenter is concerned that what the bill is proposing in some instances may constitute a take. In these cases, how will the public be protected from judgments in

favor of the mineral owner? Commenter says this because the science that defines the 3200 ft radius from a well or facility seems not to be very substantial.

006-1

*You have to be working with those materials with longer term exposure to have developed cancer at the geographic locations that this white paper is referring to. Just look at the demolition of the San Onofre power plant. The workers don't have radiation Suits.*

006-2

*When the document says not near a nursing home, the investors of the nursing homes know that. But if we are saying not near a housing development the investors of the mortgage for that are not interested in your project because they only own the land around that project. Or someone building a home. They can't say no to you. What they would say was that their mortgage was not successful because of the project. But there is no way that a school or nursing home next to a project could say that.*

**Response to 002-1, 006-1 and 006-2:** *CalGEM has reviewed the comments and determined that no changes to the SB 1137 First Implementation Regulations rulemaking package are necessary. The comments object to SB 1137, rather than CalGEM's proposed action or rulemaking procedures.*

### **Comments Requesting Other Restrictions or Environmental Benefits**

001-1

The current document excludes any mention of land restoration, long-term healing of extraction zones, or Indigenous leadership and co-management. These omissions matter. California cannot truly protect communities while ignoring Traditional Ecological Knowledge and the stewardship practices that have sustained these lands since time immemorial.

001-2

There is no mention of air monitoring, soil testing, real-time sensors, public-facing dashboards, multilingual transparency, or community-governed science. The regulations focus only on operators submitting data to CalGEM, not on public access or community control of environmental information.

001-3

SB 1137 does not address bonding, cleanup funds, orphan-well guarantees, liability, or health damage compensation. If these protections are instead contained in the Orphan Well Prevention Act (AB 1167), that should be explicitly coordinated or referenced to ensure that operators (not families or taxpayers) carry the true costs of extraction.

001-5

Communities deserve the power to live free from toxic air and groundwater. SB 1137 can help make that possible if its implementation reflects both the technical and cultural dimensions of true safety. California has an opportunity to lead the world not only by limiting harm, but by gradually transforming former oil fields into living systems of care: restored habitats, community spaces, and places where Indigenous groups co-govern and steward land according to traditional knowledge.

003-1

Allow a private property to opt out of the 3200-foot restriction. An example is the private Piru Petroleum Club house with its own Bd of Directors, at Britt Private Park in Torrey Canyon, Ventura County. It is only used once or twice a month for Bar BQs. In Addition, there is a nearby house on Guiberson Rd that was abandoned and burnt down yet subject to the Protective Space. Also, there is a nearby property with oil seepage from abandoned wells that the new owners of the residence want to collect. They would like to exempt their residence from limitations on their own property. I am a member of the Piru Petroleum Club and own adjacent property, but no income from oil. I believe in being fair.

007-1

My point of concern is that all Regulations adopted by the Ca. State must be based on unbiased science and of consensus agreement. Such consensus must be based on facts and be void of ideology alone views. The polarity of any ideology is a signal of noise vs the signal of importance and merit. Please disallow any noise of ideology based on ignorance. To this, the people are served best.

008-1, 009-1, 010-1

Let's keep California the leader in environmental protection. Commenters ask that you do by right for the environment and for the sake of conservation and preservation of our planet. People have no understanding of the importance of the Ecosystem and those that call it home!!!. Especially this pathetic and corrupt administration!!!!.

011-1

The SB 1137 law as it currently is written should have a stipulation that the owner of mineral rights within the 3200' setback should have the ability to opt out of the provisions written into the law and allow an oil and gas operator to conduct new well operations or new completion operations on an existing well within that zone. This would prevent the taking of those rights which is the situation as it now exists.

**Response to Comments Requesting Other Restrictions or Environmental Benefits:**

*CalGEM has reviewed the comments and determined that no changes to the SB 1137 First Implementation Regulations rulemaking package are necessary. Comments on land restoration, PRC section 3283 air monitoring requirements, orphan well requirements, and on additional prohibitions or undertakings, are not within the scope of the present rulemaking, which is focused on health protection zone requirements for notices of intention and new production facilities within an HPZ, water sampling and testing, and annual sensitive receptor inventories and maps. It is not the purpose of the rulemaking to end oil and gas production in California, and SB 1137 does not require oil field restoration, soil testing, community-governed science or control, additional bonding or other funding except as specified in PRC section 3281, subdivision (c), coordination with AB 1167, or provide an opportunity for a sensitive receptor to opt out of HPZ protections.*