

**From:** [Shani Kleinhaus](#)  
**To:** [CEDCommittee](#); [The Office of Mayor Sam Liccardo](#)  
**Cc:** [Davis, Dev](#); [Esparza, Maya](#); [District9](#); [Jimenez, Sergio](#); [Khamis, Johnny](#); [District1](#); [District8](#); [District5](#); [District4](#); [Hughey, Rosalynn](#); [McGarrity, Patrick](#); [Mossing, Mackenzie](#); [Chapman, Helen](#); [Groen, Mary Anne](#); [Katja Irvin](#); [David Poeschel](#); [James Eggers](#); [Pearce, Michael](#); [Walesh, Kim](#); [Kline, Kelly](#); [Perez, Raul](#)  
**Subject:** Sierra Club and Audubon: Item 5 on the CED Committee Agenda: Electronic Billboards Phase 2  
**Date:** Sunday, November 22, 2020 10:49:05 PM  
**Attachments:** [112320 SJ CED Electronic Signs comment letter.docx](#)

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[External Email]

Dear Chair Khamis and committee members,

On behalf of our thousands of San Jose members who care about the environment, human health, and quality of life, the Santa Clara Valley Audubon Society and the Sierra Club Loma Prieta Chapter write to ask you to remove City Council Policy Priority #3: Electronic Billboards Phase 2 - New Programmable Electronic Signs and Signs Displaying Off-Site Commercial Speech on Non-City-Owned Sites from the priority list.

As the City refocuses to tackle the most urgent and highest priority issues during the pandemic and its aftermath, please recommend that staff abandon this costly, hazardous, environmentally-degrading and unpopular project immediately.

Please find our letter attached.

Respectfully,

Katja Irvin, AICP  
Water Committee Chair  
Sierra Club Loma Prieta Chapter

Shani Kleinhaus, Ph.D.  
Environmental Advocate  
Santa Clara Valley Audubon Society

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November 23, 2020

To: San Jose Community and Economic Development Committee  
By email to CEDCommittee@sanjoseca.gov

Re: Time to abandon City Council Policy Priority #3: Electronic Billboards (Item 5)

Dear CED Committee Members,

On behalf of our thousands of San Jose members who care about the environment, human health, and quality of life, the Santa Clara Valley Audubon Society and the Sierra Club Loma Prieta Chapter write to ask you to remove City Council Policy Priority #3: Electronic Billboards Phase 2 - New Programmable Electronic Signs and Signs Displaying Off-Site Commercial Speech on Non-City-Owned Sites from the priority list. As the City refocuses to tackle the most urgent and highest priority issues during the pandemic and its aftermath, please recommend that staff abandon this costly, hazardous, environmentally-degrading and unpopular project immediately.

Of the many community members and stakeholders who participated in four focus groups/public meetings, NOT ONE supported this effort. Reasons summarized in staff reports include:

1. **Advertisement is intended to attract attention - what a terrible idea on a road or a freeway!**

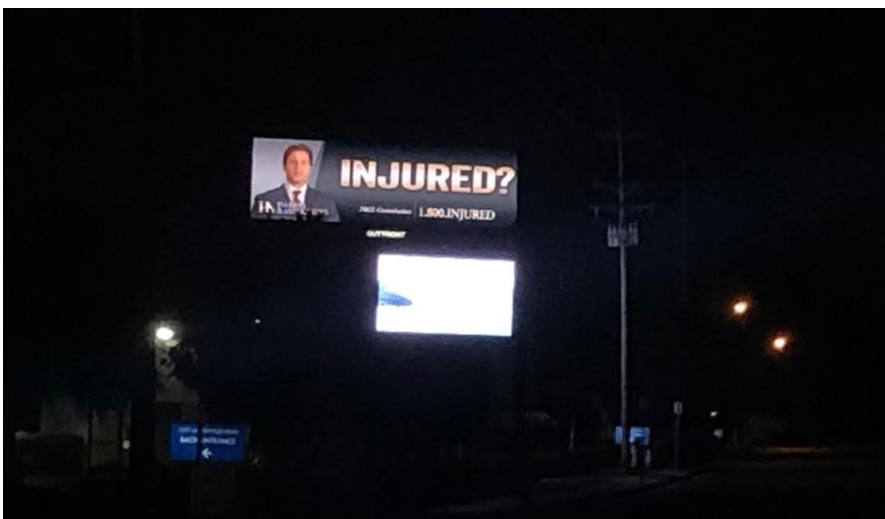


Photo by Katja Irvin, taken in Santa Clara, CA

Billboards, especially electronic/digital billboards have been implicated in fatal road accidents, injuries and property damage. Indeed, road and freeway facing billboards are the most hazardous of all, and the public is vehemently opposed to them. Staff suggests that the proposed ordinance would allow up to 73 new and replacement signs to be constructed along San Jose freeways. **Each billboard has the potential to increase traffic collisions, risking people's lives.**

## **2. No Benefit to the City**

[Mayor Liccardo, 9/25/18](#): “I am an advocate for growing jobs in our city where it benefits our own companies who are here, but this does not even do that. This just says folks can put up signs on private sites that will **benefit, you know, Chukchansi Casino, not necessarily any business in San Jose**. So going to non-city sites will create zero jobs and zero City revenue. And the notion that we'll have **planning staff tied up in knots** over what you already see is an enormous amount of time expenditure on what has been a very limited effort on Phase I....” (emphasis added)

Staff report, 11/23/20: In the Downtown Sign Intensification Zone, “Staff is still working through the complex state and federal regulations on off-premise signage to craft ordinance criteria that maximize such signage opportunity.”

**Is this work truly essential at this time? Is it ever?**

## **3. The wonders of the universe – can you see the Milky Way?**



Photo by Keith Wandry, taken on Skyline Blvd.

On a clear night in 1994, an earthquake rumbled beneath Los Angeles and caused a citywide power outage just before dawn. Startled awake, some residents who had stumbled outside called various emergency centers and a local observatory to report a mysterious cloud overhead. That weird object turned out to be the band of the Milky Way, our home galaxy, which had long been obscured from view by the city's lights.<sup>1</sup>

A recent study in Tucson that used satellite images coordinated with dimming of LED streetlights showed that only 20% of the light in the Tucson satellite images comes from streetlights. 80% of the light originated from parking lots, car dealerships, signs and billboards, bright facades, and sports fields.

Light from electronic billboards and signs is not negligible. It will increase City glow and affect the ability of residents to enjoy the night sky. The benefits that the Lick observatory provides to the community as a leading astronomical research and education facility will also be impaired.

#### **4. Everyone deserves a good night sleep and a healthy environment**

Digital billboards are extraordinarily bright, and can disrupt residents' sleep when they shine into windows. This is not a trivial impact, and one cannot expect residents near such billboards to have to purchase and install blackout shades. Sleep is necessary for restoring physiological and biological processes, for consolidating memory, and for maintaining a healthy metabolism.

Darkness in the sleeping environment is tied strongly to sleep duration and quality, including the production of key hormones such as the growth hormone and melatonin. For the elderly and others in institutional care, lights (and noise) have been shown to be particularly disruptive.

The evidence that outdoor lighting results in indoor exposure is found in epidemiological studies, and such exposure is implicated in an increased risk of breast cancer and prostate cancer, obesity, diabetes, depression, bipolar disorder and more.

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<sup>1</sup> <https://www.nationalgeographic.com/science/2019/04/nights-are-getting-brighter-earth-paying-the-price-light-pollution-dark-skies/#close>

## November 2020 review of 160 scientific studies – artificial night-time lighting has a diverse range of effects across the natural world

### Artificial night lighting has widespread impacts on nature

**Artificial night-time lighting has a diverse range of effects across the natural world and should be limited where possible, [researchers say](#).**

A team led by the University of Exeter brought together more than 100 studies and found "widespread" impacts on animals and plants.

Changes to animals' bodies and behaviour – especially hormone levels and patterns of waking and sleeping – were consistently found.

The study shows that levels of melatonin (a hormone regulating sleep cycles) were reduced by exposure to artificial lighting at night in all animal species studied.

"Lots of studies have examined the impacts of artificial night-time lighting on particular species or communities of species," said [Professor Kevin Gaston](#), of the [Environment and Sustainability Institute](#) on Exeter's Penryn Campus in Cornwall.

"Our research brings those studies together – and we find the effects are very diverse and very pervasive.



Like climate change, night-time lighting appears to benefit certain species in certain locations, but Professor Gaston said the clear message of the study was to reduce lighting where possible.

Here is one example of over 160 studies included in the study above:

### High-intensity urban light installation dramatically alters nocturnal bird migration

Benjamin M. Van Doren<sup>a,b,1</sup>, Kyle G. Horton<sup>a,c,d,1</sup>, Adriaan M. Dokter<sup>a</sup>, Holger Klinck<sup>e</sup>, Susan B. Elbin<sup>f</sup>, and Andrew Farnsworth<sup>a,2</sup>

<sup>a</sup>Information Science Program, Cornell Lab of Ornithology, Ithaca, NY 14850; <sup>b</sup>Edward Grey Institute, Department of Zoology, University of Oxford, Oxford, OX1 3PS, United Kingdom; <sup>c</sup>Department of Biology, University of Oklahoma, Norman, OK 73019; <sup>d</sup>Oklahoma Biological Survey, University of Oklahoma, Norman, OK 73019; <sup>e</sup>Bioacoustics Research Program, Cornell Lab of Ornithology, Ithaca, NY 14850; and <sup>f</sup>New York City Audubon, New York, NY 10010

Edited by James A. Estes, University of California, Santa Cruz, CA, and approved August 31, 2017 (received for review May 29, 2017)

**Billions of nocturnally migrating birds move through increasingly photopolluted skies, relying on cues for navigation and orientation that artificial light at night (ALAN) can impair. However, no studies have quantified avian responses to powerful ground-based light sources in urban areas. We studied effects of ALAN on migrating**

**a compass to inform their spatial maps (19, 20, 24), may function with a dependency on frequencies of light, and ALAN may interfere with this dependency (25–28). Impediments to orientation and navigation senses may prove costly for avian migrants, creating new hazards during an already challenging and dynamic**

#### Conclusion and moving forwards:

Numerous studies conclude light pollution is disruptive, and unhealthy for both people and ecosystems. Electronic signs and billboards are especially distracting and hazardous for drivers. Electronic Billboards Project Phase 2 brings no economic benefits to the City and its residents. The minor benefit of replacing aesthetic blight with biologically disruptive, hazardous signage does not outweigh the damage.

Furthermore, San Jose and its residents and small business owners are facing unprecedented challenges. Last week, the City Manager recommended an integrated approach to City priorities that considers both Covid-19 emergency response and standing Council priorities. At the meeting, Councilwoman Davis questioned keeping Electronic Billboards Phase 2 on the list of Council priorities, saying "When we're talking about downtown and recovery ... do we really still care about electronic billboards right now?" We ask you – Councilmembers Esparza, Foley, Khamis, Diep and Peralez – to revisit this priority, and recommend deprioritizing it immediately. Hopefully, it will never return.

Respectfully,

A handwritten signature in cursive script, reading "Shani Kleinhaus".

Shani Kleinhaus, Ph.D.,  
Environmental Advocate  
Santa Clara Valley Audubon Society

A handwritten signature in cursive script, reading "Katja Irvin".

Katja Irvin, AICP  
Water Committee Chair  
Sierra Club Loma Prieta Chapter

**From:** [Susan Butler-Graham](#)  
**To:** [CEDCommittee](#); [The Office of Mayor Sam Liccardo](#); [Foley, Pam](#)  
**Cc:** [District1](#); [District2](#); [District3](#); [District4](#); [District5](#); [District 6](#); [District7](#); [District8](#); [District9](#); [District 10](#)  
**Subject:** Please Say No to Electronic Billboards  
**Date:** Monday, November 23, 2020 9:13:39 AM

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[External Email]

Dear Councilmember Foley,

I am very concerned about the prospect of having electronic billboards in our city, for several reasons. They use much more energy than regular billboards, cause driver distraction and traffic accidents, and cause light pollution. They bring no jobs or revenue to the city. During this time, shouldn't we be focusing our time and energy on handling the COVID19 crisis instead?

Please vote no on electronic billboards. We don't want them, and we don't need them.

Sincerely,  
Susan Butler-Graham  
District 9 resident

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