

From: Mark Baker <mbaker@softlights.org>

Sent: Thursday, March 27, 2025 6:38 AM

To: Kimberly Ward <KWard@bayareametro.gov>

Cc: Higuera, Amy R. <amy.higuera@stoel.com>; Flint, Jennifer@DOT <Jennifer.Flint@dot.ca.gov>; Ben Davis <Ben@illuminate.org>; Michael.Dorsi@doj.ca.gov; Shari Posner <shari.posner@doj.ca.gov>; Kathleen Kane <kkane@bayareametro.gov>; Crossman, Brian (CAT) <brian.crossman@sfcityatty.org>; MTC-ABAG Info <info@bayareametro.gov>

Subject: Bay Lights 360 - Public Comment for April 23, 2025 BATA Meeting

Dear Kimberly Ward, Bay Area Metro,

The Bay Area Toll Authority is scheduled to meet on April 23, 2025. This is a public comment as per (<https://mtc.ca.gov/meetings-events/how-provide-public-comment-board-meeting>). I request that the following comments be entered into the public record for the April 23, 2025 meeting and that the Bay Lights 360 project be added as an agenda item.

The article titled From Sleep Loss to Suicidality: How Nighttime Light Affects the Mind was published on March 25, 2025. (<https://www.madinamerica.com/2025/03/from-sleep-loss-to-suicidality-how-nighttime-light-affects-the-mind/>). The subtitle says, "*The study suggests that poor city planning and excessive artificial lighting could be factors in the rise of mental health issues and advocates for eco-friendly, sustainable urban design to mitigate these effects.*"

Mr. Ben Davis of Illuminate has proposed a massive light pollution project called Bay Lights 360 which, according to this research, will greatly increase the risk of mental health issues. The Bay Area Toll Authority has attempted to push this project through without any compliance with the California Environmental Quality Act or Ralph M. Brown Act.

The Soft Lights Foundation requests that the Bay Area Toll Authority take the following steps to comply with CEQA for the proposed Bay Lights 360 project.

1. As per California Code of Regulations Section § 15051, direct BATA staff to submit a report to the BATA Commissioners with a recommendation as to whether BATA meets the criteria for Lead Agency for the Bay Lights 360 project, or whether Caltrans is required to be the Lead Agency. BATA Commissioners should issue a Finding based on this report, in compliance with the Brown Act.

2. As per California Code of Regulations Section § 15060(a), issue a Finding as to whether Illuminate has properly submitted all the necessary documentation for the proposed Bay Lights 360 project.

3. As per California Code of Regulations Section § 15061(a), direct BATA staff to submit a report to the BATA Commissioners with a recommendation as to whether the Bay Lights 360 project is exempt from CEQA. The report should be substantiated with evidence. Based on what is known already, the Bay Lights 360 project does not qualify for CEQA Exemption. BATA Commissioners should issue a Finding based on this report, in compliance with the Brown Act.

4. As per California Code of Regulations Section § 15063(a), direct BATA staff to perform an Initial Study and submit a report to the BATA Commissioners. The Initial Study should include, at a minimum, the Caltrans report titled 'Effects of LED Lighting on Terrestrial Wildlife', references to FDA reports of harm from exposure to LED lights submitted by the Soft Lights Foundation, and a reference to study titled 'Insights into the Effect of Light Pollution on Mental Health: Focus on Affective Disorders—A Narrative Review'.

5. As per California Code of Regulations Section § 15063(b), BATA Commissioners must issue a Finding as to whether the Bay Lights 360 project requires an EIR or Negative Declaration, in compliance with the Brown Act. From what is known already, an EIR is required.

Sincerely,

Mark Baker

President

Soft Lights Foundation

www.softlights.org

mbaker@softlights.org

X: @softlights_org

Bluesky: @softlights-org.bsky.social