

**BILL 41(22), CD1**  
Testimony

# STARN • O'TOOLE • MARCUS & FISHER

A LAW CORPORATION

Thursday, February 9, 2023, 9:00 A.M.

City & County of Honolulu

Committee on Planning and the Economy  
City Council Chamber

## TESTIMONY OF A. BERNARD BAYS IN OPPOSITION TO BILLS 41 & 42

Aloha Chair Kia'āina and Committee Members:

My name is Bernard Bays. I am an attorney representing the Shoreline Preservation Coalition. The Shoreline Preservation Coalition ("SPC") is a nonprofit coalition of community groups dedicated to preserving our shorelines, especially our beaches. I submit this testimony in **opposition** of Bills 41 and 42.

SPC opposes Bills 41 and 42. SPC does not want our beaches replaced with eroding mud embankments that pollute our near shore waters and damages our reefs. We think that our beaches are an important resource that should be preserved wherever possible.

It is obviously heartbreaking when we see someone's home damaged by the ocean, but more importantly this means that the beach in front of the home has been lost. SPC wants to save that beach wherever possible.

The State & County have devoted a great deal of resources to the preservation of Waikiki Beach. SPC supports those efforts, but we think that our other beaches are also worth preserving.

SPC regards so called "managed retreat" as an admission of defeat. We do not want to surrender our beaches to the ocean. We want to fight to save them.

There are numerous scientifically proven methods for shoreline preservation that should be used where they are appropriate. Shoreline management is not a "one size fits all" problem with a "one size fits all" solution. Different ocean and shoreline conditions require different approaches to preservation.

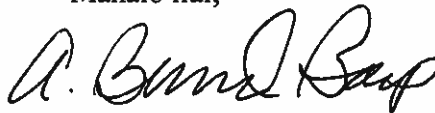
We have the finest ocean scientific and engineering talent in the world. We need to use that talent to fashion creative effective solutions to shoreline preservation on an area-by-area basis.

In summary, SPC advocates creative scientific solutions to shoreline preservation determined an area-by-area basis.

SPC supports condemnation of private property for just compensation where other shoreline preservation methods fail.

Thank you for allowing me to provide this testimony.

Mahalo nui,

A handwritten signature in black ink, appearing to read "A. Bernard Bays". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

A. Bernard Bays