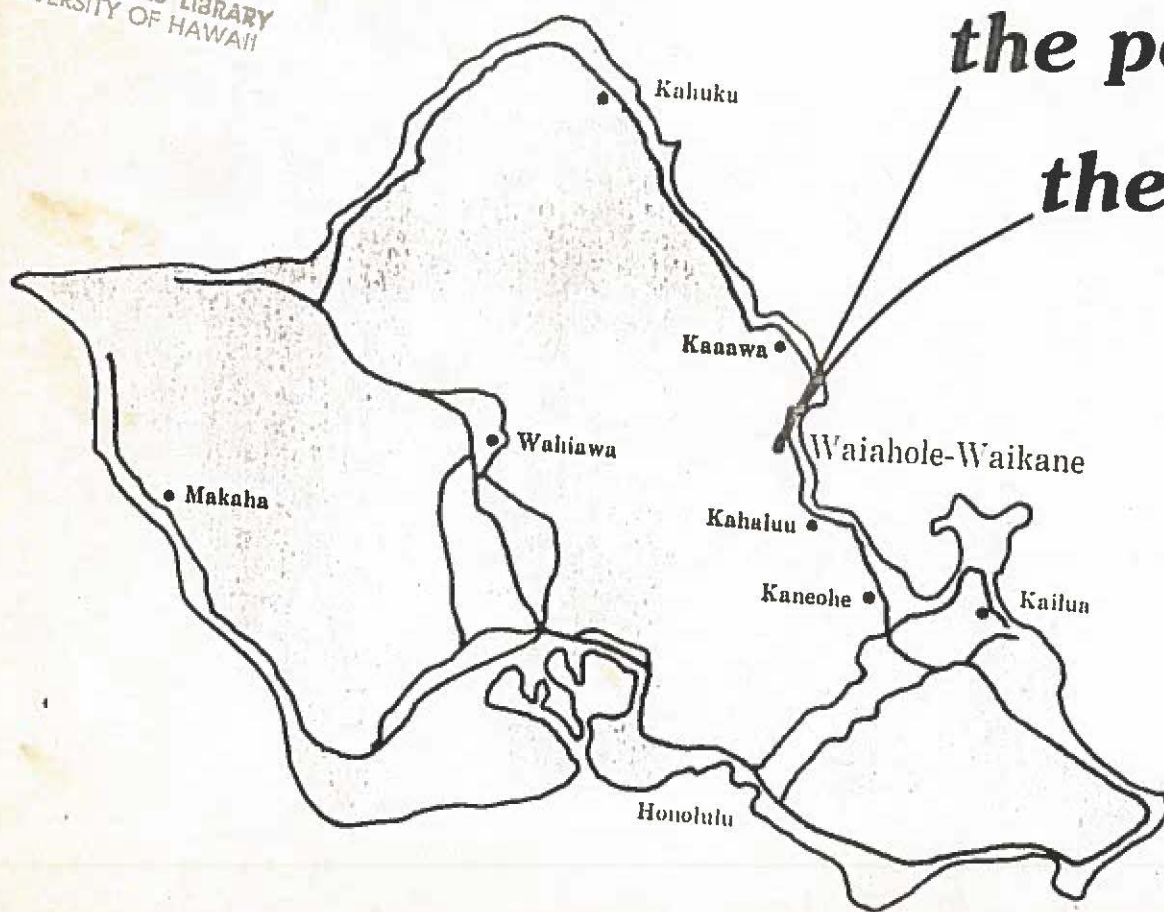


# waiahole and waikane valleys

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the people  
the land

Taro was the chief crop in Waiahole and Waikane valleys when Captain Cook "discovered" the Hawaiian Islands in 1778. About 500 self-sufficient Hawaiians were cultivating the valleys so extensively that even lands not the best for taro were pressed into use, as shown by the remains of dikes and terraces in these areas. European influences and new diseases caused a decline in the valleys' population in following years.

A second agricultural peak period began to build in the 1870s with the coming of the Chinese and rice culture, reaching a peak around 1910. Waiahole had six rice plantations and a mill in 1879. Japanese settlers added truck crops around the present Waiahole School site to the rice and taro cultures. More than 20 families were growing rice in Waikane by 1897. The Waiahole Poi Factory, opened in 1904, was one of Oahu's largest and marketed the legendary "hard taro of Waiahole" and other varieties throughout the islands. Pineapple was grown on the lower Koolau slopes, and animals grazed on the higher slopes.

Opportunity called the McCandless brothers -- Link, James and John -- to Hawaii in 1882. Their partnership drilled more than 600 artesian wells to supply the growing sugar plantations with water. In the '90s Link McCandless bored a tunnel through the Koolau Mountains to carry the abundant waters of Waiahole and Waikane ("wai" means water in Hawaiian) to the other side of Oahu. This helped make the profitable cultivation of sugar and pineapple in the central and Ewa areas possible.

McCandless had a good look at the land during his drilling years and found ways to acquire what he liked. He is called the father of the Torrens Land Court Law passed by the Territorial Senate in 1903 -- a complex and

expensive procedure used by many big landowners to legally grab the lands of the Hawaiians. A headline in the Pacific Commercial Advertiser (later to become the Honolulu Advertiser) screamed:

WHILE LINK THE LAND BARRON HAS BEEN AT WORK ON A SCHEME TO GET VOTES BY PROMISING GOVERNMENT LAND WHICH HE DOES NOT OWN AND CANNOT CONTROL, TO THE HAWAIIANS, HE HAS BEEN STEADILY GRASPING KULEANAS TO ADD TO HIS PRIVATE BARONY OF 6,000 ACRES.

The article listed at least 200 kuleanas owned by McCandless, of which about 40 were in Waiahole-Waikane.

McCandless's total land holdings came to 36,000 acres, making him the 13th largest private landowner in the state. About 6,000 acres were on Oahu and the rest on the Big Island. All of it became part of his estate and was passed on to his heirs when he died in 1940.

After 1910, rice culture declined because of California competition and an infestation of blight. The Windward side's only pineapple cannery (at Kahaluu) moved to Honolulu in 1920. Java plum and guava trees gradually invaded the abandoned fields and grazing lands and are there today. Truck farming continued on the lowlands and today, about 300 acres of an estimated 800 acres of good agricultural land are in production, despite the discouraging month-to-month lease situation.

### \* chief crops today

Sweet potatoes, papayas and bananas are the chief crops now. String beans, eggplant, taro, cut flowers and nursery plant stock also thrive. Many farms and families have livestock. The two valleys

produce 80% of all the sweet potatoes grown on Oahu -- 54% of the state's annual crop. Just 25 acres are under papaya cultivation, but some of this land produces double the statewide average per acre.

Of the people, 161 persons in 46 households are engaged in commercial farming. Many more families depend on "backyard agriculture" to supplement small incomes. Population estimates for the two valleys range from 500 to 800. About half of the 491 persons surveyed by the developer's consultant a year ago were of Hawaiian descent. A "remarkably high" percentage of the residents -- 41% -- have lived in the valleys 20 years or more, showing how old and established this community is.

### mccandless/ marks/pao development plans

The McCandless Heirs (Elizabeth Loy Marks and her three children, Alfred Lester Marks Jr., Cynthia Marks Salley and Elizabeth Marks Stack) first thought about developing their Waiahole-Waikane property in 1959. They hired the firm of Harland Bartholomew and Associates to come up with a plan and started converting all the tenancies to month-to-month leases. The proposal included the world's largest marina offshore at Waikane, and 2,032 houses in the valleys. The heirs apparently decided the time for development was not right, however, and shelved the plan.

In the fall of 1973, the time apparently was right. The heirs hired George Houghtailing's Community Planning, Inc., and let the State Land Use Commission know that they would be asking for urban-use designation on 1,337 acres of agricultural land. They proposed a total development of 6,700

units (larger than Hawaii Kai), plus a four-lane Kamehameha Highway and three or four sewage treatment plants; depending on the eventual number of housing units.

### valley residents organize

This information had to be learned from the State Land Use Commission's files, because the heirs and their agents refused to answer any questions about the development. They said what they did with their property was "nobody's business but our own." Alarm swept the Waiahole-Waikane tenants and small landowners, who crowded Waiahole School April 8, 1974 for the first general meeting of the Waiahole-Waikane Community Association. WWCA has had monthly general meetings ever since. A steering committee meets weekly to plan and coordinate activities and get out information. When a vote of the valleys is needed in a hurry on a course of action, emergency general meetings are held.

We are people who usually avoid confrontation. We try not to make trouble. But we were threatened with the loss of our old homes, our lifestyle, the place of our memories, and we changed. Under the growing leadership of a 29-year-old boiler mechanic named Robert Fernandez, we started to fight back.

### four basic positions \*

We hammered out four basic positions and took these to the Department of Agriculture, the Governor, legislators, the development planners and other community groups. Today they are the same. We advocate:

\* THE EXPANSION OF AGRICULTURE IN WAIHAOLE-WAIKANE, WITH THE OPENING UP OF MORE LANDS AND LONG-TERM LEASES FOR ALL FARMERS.

\* LONG-TERM LEASES FOR ALL TENANTS IN THE VALLEYS.

\* A SOLUTION THAT MAINTAINS THE INTEGRITY OF OUR COMMUNITY BY MEETING THE NEEDS OF ALL SEGMENTS...NOT A "SOLUTION" THAT HELPS ONE GROUP WHILE HURTING OTHERS.

\* A FUTURE FOR WAIHAOLE THAT IS DECIDED AS PART OF ISLANDWIDE, STATEWIDE AND REGIONAL PLANNING EFFORTS.

In September of 1974, developer Joe Pao threatened us with higher rents and eviction if we did not cooperate with the development proposals, which called for our eviction anyway.

### *going to the public*

We took our case to the public during the Land Use Commission hearings of August and October, 1974. People had said we could never win: "The developers have the power. They have the money. They're paying off the politicians. They always get what they want." But we were not going to let the plans of a few destroy the homes, lives and lifestyles of 500 people. We forced a thorough public airing of the issues, and we won. On December 20, 1974, the Land Use Commission unanimously rejected the rezoning petition.

Public pressure by WWCA and supporting groups all over Oahu has led Governor

Ariyoshi and the State Department of Agriculture to come out strong for the preservation of agricultural lands in Waiahole-Waikane. Now both the city and the state are considering new laws that would block the conversion of agricultural land to urban uses without careful study.

### *pao recruits help*

But Joe Pao has not been discouraged. Confident that the needed government approvals would be forthcoming, he went ahead with plans to purchase the two valleys. On May 22, 1975, he announced that he had "bought Waikane outright" and had an agreement-of-sale on Waiahole. He recruited John Henry Felix, former chairman of the Board of Water Supply, and formed "Windward Partners." Also in his corner are former circuit court judge Allen Hawkins to handle legal matters, and Teamster boss Arthur Rutledge and influential former Territorial legislator Mitsuyuki Kido as investors, among others. As it appeared concessions would have to be made, he hired the big PR firm of Fawcett McDermott Cavanagh to help create the impression that it's possible to develop Waiahole-Waikane and still expand agriculture and preserve life-style.

### *tenants' "rights" and the threat of eviction*

We are in an eviction crisis now. The case for agriculture has been made, but the landlord-tenant law still says we can be kicked out after 28 days' notice. Governor Ariyoshi and others have come out strong for the land, but not for the people. They say there is nothing they can do about the evictions.

Pao made good on his eviction

threat. In June, 1975 new leases with rents jacked from 100% to 725% were sent out. We were told by letter to either sign up or leave the valleys. There were also efforts to divide and conquer us -- along racial lines, by setting the farmers against other tenants, by offering sweetheart deals to get individual tenants to cooperate with the developer.

### *"power of attorney" and court battles*

"The people are going through hell," said Robert Fernandez recently. "To the developers this is just a matter of some money they are going to lose. To the people it's everything. Everything that means anything to them."



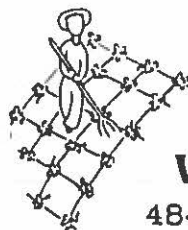
WWCA told the landowners on June 9, 1975 that the new lease terms were unreasonable and totally unacceptable and the new leases would not be signed. We gave notice that we were defending ourselves against future "divide and conquer" tactics by signing over power-of-attorney making WWCA our agent for lease negotiations. We requested a series of meetings with Mrs. Marks and Pao to discuss lease terms fair to both sides. The request was refused.

To show good faith and stop talk that we expected to live on the land for free, we attempted to pay our rent as usual the following months. The rent was not accepted. We put the money in a trust fund in Mrs. Marks' name at American Security Bank in Kaneohe. As of January, 1976, that fund contained some \$30,000.

The eviction issue is now being battled out in court. Since August 7, some or all of us have been in district or circuit court with our attorney, Michael Hare, on the average of three times a month. We are not optimistic about our chances of winning

**what will the  
outcome be?**

OUR PUBLIC SUPPORT IS OUR STRENGTH.  
WE WILL NEED A LOT OF IT IF A FINAL  
IMPASSE OVER EVICTIONS IS TO BE PRE-  
VENTED. A STRONG SHOW OF THE PUBLIC'S  
WILL, BACKED UP BY PUBLIC PRESSURE, COULD  
BRING ACTION BY THE LANDOWNERS OR GOVERNMENT  
TO PREVENT AN IMPASSE. IF YOU BELIEVE  
WAIAHOLE-WAIKANE SHOULD STAY  
COUNTRY, HERE'S HOW YOU CAN HELP:



## WAIAHOLE-WAIKANE COMMUNITY ASSOCIATION

48-140 Kamehameha Highway -- PO Box 1202, Kaneohe 96744  
239-8963 / Robert Fernandez, Pres. / Calvin Hoe, 1st Vice-pres.

in court, despite small victories so far. The landlord-tenant code is very one-sided. It does not matter if families have lived in a place up to 70 years, cleared the land and made it productive and built their own homes. They can still be kicked out with just 28 days' notice. As one longtime farmer said of Mrs. Marks, "All these years we've paid her bills and taxes on the land and now she wants to throw us out like the rubbish."

## landlord-tenant law and the people of hawaii

All people of Hawaii have a stake in what we are going through. Almost 90% of the land in the state is controlled by a small handful of people. Most land is leased. Changes in law are needed to protect the basic human rights of people who are not landowners. Laws frequently change to reflect changes in values. Our situation is similar to that of the labor unions. They had to fight hard over many long

years for recognition that a labor contract is a two-way street. It is the same with a landlord-tenant agreement.

## wanted: a fair solution

We are still legally on the land, six months after the eviction notices went out. We still want and will support a solution which meets our four basic criteria and the needs of the people. We will resist any efforts by the landowners to pick us off one by one. If the final decision goes against us, we will have no choice but to resist eviction as a community. The landowners have other lands they can develop, but our community has no other home.

--ARRANGE TO BRING YOUR GROUP TO THE VALLEYS FOR A HIKING OR DRIVING TOUR.

--LET US BRING OUR SLIDE SHOW TO YOUR COMMUNITY.

--SUPPORT OUR PETITION DRIVES

--TAKE YOUR MONEY OUT OF HONOLULU FEDERAL SAVINGS AND LOAN. WE STARTED OUR HONOLULU FEDERAL BOYCOTT LAST SUMMER BECAUSE MONEY FOR JOE PAO'S PURCHASE OF THE VALLEYS WAS PUT UP BY HONOLULU FEDERAL. WE TRIED TO MAKE PRESIDENT JOHN BAIRD SEE THAT THIS WAS USING THE PEOPLE'S OWN SAVINGS TO HURT THEM, BUT HE APPROVED THE AGREEMENTS ANYWAY.

--SUPPORT THE STOP-EVICTIONS RALLY AND MARCH FROM AALA PARK TO THE CAPITOL FEBRUARY 7th AT 9 A.M. WWCA IS PARTICIPATING IN THIS RALLY WITH PEOPLE OF OTHER COMMUNITIES FACING EVICTION.