



ORAL HISTORY PROGRAM

An interview with
August John Felando, 1929-

September 5, 1995

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This interview was conducted by: Robert G. Wright

Transcribed by: Dorothy Norton

Edited by: Thomas E. Walt

Final typed by: Mary R. (Polly) Baker

Supervised by: Sarah B. West, Staff Program Coordinator

PREFACE

There is probably no one better qualified to describe the rise and fall of the tuna fishing industry in San Diego than August John Felando. His father was a fisherman and boat owner, and he (August, Jr.) had his first fishing boat experience as a teenager. Later he became manager for a fishing boat and president of the American Tuna Boat Association. In this interview Mr. Felando discusses most of the major problems encountered by fishermen. Some of these were (and are):

- Early problems in sardine fishing
- Relationships with Japanese fisherman

- Purse seining and use of the power block
- The porpoise problem and the effort to reduce mortality
- Fish unloading and cannery operations in Puerto Rico and American Samoa
- Fishermen's unions

These were some of the problems and there were many others included in this interview.

Thomas E. Walt, Editor
July 9, 1996

INTERVIEWER'S NOTE

This is an oral interview with August J. Felando who is president of the American Tuna Boat Association. The date is September 5, 1995. My name is Robert G. Wright.

ROBERT WRIGHT: Please give me your full name.

AUGUST FELANDO: August John Felando.

RW: Where were you born?

AF: San Pedro, California.

RW: When was that?

AF: February 11, 1929.

RW: Was your dad fishing up there?

AF: My dad came from an island off the Dalmatian coast. At that time it was under Austrian control at the turn of the century.

RW: Was that around Yugoslavia?

AF: That is now Croatia. In the 1920s it was part of Yugoslavia. In 1925 he became a United States naturalized citizen. At that particular time the Dalmatian coastline was under Austrian control, so most of the people in San Pedro from the islands were considered Austrians at that time at the turn of the century. [My] father came to the United States with his mother, sisters and brothers around 1907.

RW: What's his name?

AF: My dad's name was August.

RW: August, also?

AF: Yes. His father's name was August. My mother was born in San Francisco. Her parents were from little villages in the Basque province in Spain. So I'm a combination that can only take place in the United States, Basque and what we call the [people from the] Dalmatian coast.

RW: Apparently you've been back there to visit these areas?

AF: Yes, I've visited both where my father was born, and where my mother's parents were from.

RW: Apparently your father did some fishing there, then.

AF: Well, the island is right in the middle of the Adriatic and it has quite a history in itself. Principally, [the people] were wine makers, and then they would fish on the side. So it's not unusual when you look at the coastline of southern California to why people would find southern California very similar to where [they came from].

RW: Okay. Now I know where it is. Why did he come over here?

AF: Well, I don't know exactly why his father left, but when his father was involved in fishing in southern California

RW: Usually somebody else came first and then they followed.

AF: I just don't know what caused ... I think probably the concern of his father was involved in the Austrian army and I think there was just a lot of strong feeling of leaving the area.

RW: This was about 1910?

AF: Prior to 1910. I don't know exactly, but probably before 1907. I think he arrived in 1907. So at an early age he had two older brothers and he fished with his father, at the same time going to school. He never got as far as junior high school, so he was going to elementary school and fishing with his father, if you can believe that.

RW: Sure, that's not uncommon. So you were born in San Pedro. Do you remember the name of the boat he had?

AF: Well, he tried to get out of the fishing business. He had a variety of businesses, but he had a grocery store in partner with another guy. I don't know all of the reasons, but they decided in 1928 to build a new tuna vessel, the first tuna clipper that was built at Harbor Boat in San Pedro. It was a pretty good-size vessel, over 100 feet. It was called the Adventurer. He poured everything he had into it [and so did] his partner, Paul Bogdanich. So those two fellows invested in the vessel. To what extent they were influenced by other people, I don't know, but I asked my father, "Why did you go into that? You had your own business. Why did you decide to do that?" He said, "Well, I heard that was a pretty good business." This, as you will recall, was in 1928, about three years after the building of the Atlantic, and so the large tuna fleet had just been started. He was the first in San Pedro to build a large tuna clipper.

RW: It was a "bait" boat?

AF: Yes.

RW: Did they keep the boat long?

AF: Well, yeah. He was one of the first to fish off the Galapagos, so he was really successful. Unfortunately, while he was at home, his partner took the boat out and in 1932 the boat caught fire and burned and sank off Baja California. He had another boat called the Olympic. It was also built by Harbor Boat. His partner decided to leave fishing and to go into farming in Sunnyvale, California.

RW: Well, the Depression hit about that time.

AF: My recollection was that fishing was ... They had their problems, particularly with Japan, trying to come into this growing business, tuna business. Tuna fishing at that particular time ... Everything slowed down, but at least they were working and making money during those early years. There certainly weren't too many boats built.

RW: Some of the fellas told me that they would exchange fish for vegetables with the farmers down here in Mission Valley.

AF: I don't have any ... My only recollection was as a young child, four or five years old. One interesting thing is that on the Olympic he tested the brine system at sea, the introduction of the brine system.

RW: Was that the beginning of that?

AF: Yeah.

RW: How did they preserve the fish otherwise?

AF: Ice.

RW: It sounds like he was a progressive fellow.

AF: Yes, he was a good fisherman. Then after he sold the Olympic in 1939, there was a period of time from about 1936 on when there was sort of an explosion in the sardine business. So in 1939 he built a small purse seiner called the Treasure Island. Basically, he just chartered out during that period of time; he went purse seining [and was] very successful. In other words, he would handle the wheel and would be up in the mast. So he fished sardines. I remember visiting during the summer in Astoria and I remember listening to the radio with my mother. We had a Zenith radio to pick up the short-wave communications from vessels out at sea where they would be fishing at Galapagos Islands for bluefin tuna. So up to World War II what he did was just charter the boat out. We had a very large Japanese population in San Pedro, [especially] in Terminal Island. He was very friendly with the Japanese. He chartered a boat out to a Japanese family.

RW: Didn't the sardines sort of disappear, get fished out or something like that?

AF: I think there was a lot of misinformation on that. Certainly the tuna business started as a result of the disappearance of the sardine. They couldn't find any sardines in San Pedro bay, so this fellow by the name of Hafield (sp?) experimented with other fish to see if he could keep his plant going as a sardine plant. Based on a study made by John Isaac at Scripps, taking core samples indicated there was sort of a cyclic movement of the sardines and anchovy off this coast where they would come and go. So a lot of it has to do with ocean conditions. Talking to the Japanese they experienced tremendous production of sardines off their coast which was unusual. I fished for sardines when I went fishing with my dad up in San Francisco and

fished sardines and mackerel off San Pedro. Up until 1951, from 1947, was a combination of tuna fishing and sardine and mackerel fishing. The boat that we got back from the Navy, which was the Treasure Island, the one that was built in 1949, and then we got another purse seine vessel called Western Skies. Those were the two boats that I had fished on, and initially Treasure Island, when we got her back, we put a bait tank on her and went albacore fishing and went up that summer to Astoria. In answer to your question about the sardines, I asked him what he thought and he felt that they weren't fished out. Certainly fishing had an impact on the stocks and he was always concerned about the dumping of materials after the war from San Francisco bay. They were supposed to be dumping them outside in the flats.

RW: You mean garbage?

AF: No, not garbage. We don't know what was being dumped out there by the military after the war. They were dumping a lot of stuff out there. He recalled the last day of the season, 1951, 1952, and he recalled he saw a lot of sardines out there, and then they sort of disappeared. I think that in 1936 we had five million tons of sardines taken. That was 1936, and certainly it continued on. And then we had the war years where there was practically very little effort. Then after the war years we had sardine fishing, but experienced a decline. So it's sort of here you had this real heavy fishing from 1936 certainly up to 1941, and then in the war years a decline in fishing effort because practically all of the boats that were fishing sardines were taken over as coastal mine sweepers. So then you start picking up the effort again and suddenly by 1951 there were very [few] sardines taken. How much of this is due to cycle condition, I don't know, but it certainly tore apart the sardine fishery of Astoria. A lot of people don't realize a lot of sardines were caught off Astoria and gradually down to San Francisco and the Los Angeles/San Diego area. I'm sure it was probably a combination of action by men and I think just nature. The conditions right now - earlier this year there were a lot of sardines all over this coast.

RW: This coast?

AF: Yes.

RW: Is there a market for them?

AF: That's the problem. Oh, there's a market in other areas, but what we call the best off this coast is found off Walrus Bay in North Africa. It had good sardines and mack erel off Ecuador and Peru and Chile, and like I say, they've had good sardines. Just exactly what the market condition in sardines is right now, for pet food maybe and things like that, I just don't know what the market is.

RW: That's what I was going to ask you. I know sardines are for human consumption, but are they used for fertilizer as well as pet food?

AF: Yes, I would say it is probably used for all three purposes, just like tuna is used for all three purposes.

RW: Getting down to you, you said you went fishing with your dad probably when you were a teenager?

AF: My first time I went out at sea was during the war in which I went with him aboard a vessel. I think it was called the Robin. During the summer we would service the small albacore boats at that time. We had submarine nets here in San Diego bay and they had submarine nets up in San Pedro.

RW: You were living in San Pedro at the time?

AF: At that time it wasn't practical for small boats to come in and unload and go out again because of the restrictions in the harbor. So we would go out and I would jump on small albacore boats and throw the albacore onto our boat or a barge. I remember staying two weeks just outside of Ballast

Point, anchored, and Avalon Bay and the isthmus up there, basically traveling around servicing the small albacore boats. That was in 1943.

RW: Part of the job, too, on the boats was to keep (an) eye open for any submarines or any Japanese activity.

AF: As a young kid it was a lot of fun, I mean, Avalon at that time was a wonderful place. The only thing they had there was a Merchant Marine Academy. We had a theater there and I remember that was the only place I knew where we could get Hershey bars (candy) without any restrictions. So for a young boy 13-14 years old, it was just wonderful. So that's how I learned how to ice fish, ice tuna. Then my dad got the boat Treasure Island back from the Navy. We had to scrape off, I don't know how many layers of paint, and then went with him to some of the tryout crews to get some albacore, and then he went up north again. It was 1945, and then in 1946 I went summer fishing with him, albacore, from Astoria heading south and north.

RW: You got the shares, I assume?

AF: At that time I didn't get anything. I think I was just doing whatever I could on the boat to help out. It was a wonderful trip. It's a pretty rough sea up there so we never had it too easy. All I remember is being on the wheel. We were always traveling because you couldn't drift. Most of the time it was very rough. And then in 1947 I graduated from high school and went fishing with my dad as a young share.

RW: This was still in San Pedro?

AF: Off San Pedro on the Western Sky. It was a nice boat. A second cousin of mine and my dad and others took over the boat. That was my first experience fishing, purse seine fishing for tuna off Mexico. Prior to that I had gone out with my uncle a couple months for mackerel and sardine fishing on the Treasure Island.

RW: I understand purse seining as we know it now was developed in San Pedro but based on ... the Japanese or somebody else. I mean with the power block and so forth?

AF: Power block didn't come in until 1954.

RW: I understand that the development started in San Pedro.

AF: The interesting background on that, I'm trying to think. Anyway, what happened was that at that particular time I was going to law school because as a condition to going fishing my dad would not let me go unless I agreed to register in college. He went up there with me in 1947, so I could go fishing for the tuna season, and we started around March, and thus I registered for the fall term. After that, in 1948, he asked me to come back and so the plan more or less continued to do that, using fishing to pay for my college education. I can't think of the fellow that originated the power block, but anyway, this friend of mine came up to me because he knew I was going to law school, and he said this friend of his had developed this idea which basically turned out to be the power block. I said the best thing to do is to find a patent lawyer. Don't get a regular lawyer; go get a patent lawyer and patent your idea. So he had come up to my house, my parents' home, and so that was the advice I gave him as a young kid just starting law school. I think I gave him good advice. Mario Puritec (sp?), he was a fisherman in San Pedro [who] had come up with the idea of the power block; that was in 1954. Fortunately he associated with Peter Schmidt who used to be a marine architect here at National Steel. Peter was a very fair man and worked out things for Mario. He was the one who revolutionized percent fishing during the war. You have to remember that at that time what we did, for instance, on the Western Sky, every boat had wooden booms. Clearly, we [had] one of the first boats to have an inboard engine and a skiff, and it [the skiff] was pretty heavy. I remember we were alongside the dock getting ready to start our first trip, and to lift the skiff just right

alongside the dock, and I could just see that boom go. Clearly what [had] happened was that my dad ordered a steel boom. I don't [know] where he got the idea. I think it had been discussed by other people within the fleet and so he got a very long boom so that he could lift up a lot of net and therefore make our set as short as possible. At that time we had cotton nets, but initially purse seining tuna goes back to about 1916 where they were trying to figure out why the albacore fishery, which was the mainstay of the canned tuna industry at the time, was pretty unpredictable. The theory at that time was that the albacore would come up off the coast in the summer so as the summer ended they would go vertical and then make a loop in deep water. The idea was, well, all of the fishing for albacore had all been surface gear hooks and trolling lines. So the idea, well, maybe what we can do is net them, and so that net was financed by Van Camp Seafood. That was the justification for it. They didn't catch any albacore, but they started picking up some bluefin. You almost had, as the fishery started developing south of California, where you had a lot of small purse seiners [fishermen] that had experience in salmon. The purse seine technique apparently had been basically used off the Adriatic, off the Dalmatian coast, and they just transferred that knowledge to the salmon, Puget Sound area, the Alaska area, and then it came down for the sardine fishery; and then it was introduced into the tuna fishery. We had a time for awhile where the small seiners were catching more tuna than the small bait boats that were operating from the mother ships. I don't know all of the reasons, but they, of course, couldn't compete. (I don't know exactly what happened during that period), but clearly the bait boats started taking over because they could fish farther off the coast, I think, with live bait. The seiner operation at that time - all they had on the stern was like a little roller and so they would have to roll the net from the stern onto the turntable and not much of a sling operation. So I think as they started developing with the -winch and boom and all these little developments, the purse seiner started becoming a little bit more efficient. When we fished in 1947, a pretty fast boat was going a little better than ten knots. Like I say, we had a large boom, pretty good winch, pretty good-size winch was important in purse seining. My first job was in the skiff because it was a safe place for a young kid. He couldn't hurt anybody, and, basically, it was because of my dad's knowledge based on his bait boat experience that he left this area and headed south and way out. That's where that year, our first trip, we experienced the mixture of tuna-porpoise schools.

RW: Was the porpoise a problem in those days?

AF: I asked him when do the bait boats start going out - about the relationship to tuna-porpoise. He thought it was in the early 1930s, '31, '32. As you move further south, in talking with some other people, they recall - one captain recalled, told- me, that they started seeing the word "porpoise" in the messages, not telegraphed, but Morse code. At that time there was no voice radio. They had a very secure system where they would transfer messages by code, and people started picking up the word "porpoise." I think that the bait boat started picking up the relationship early.

RW: Tuna schools under the porpoise ...

AF: Well, people are still trying to figure out what's the basis of the relationship. Generally, we see them in the morning; they come into the area and you see tuna and porpoise spread out all over, not moving. Generally the tuna are feeding. And this captain guy Silva, when asked about why porpoise and tuna associate, he said he believes that one reason is that you're dealing with a mammal and a fish, and fish generally school-up for protection purposes. A mammal, however, isn't bothered with that, and just as whales will just move into a school of anchovies or bait or what have you, so also the porpoise help out the tuna because they don't penetrate the school and scatter the feed, and in a way help out the tuna feed. That was his explanation as to how tuna benefit from the activity of porpoise. In any case, I remember that three other purse seiners had followed us as we were going down past Manzanillo and I remember a place called Blackhead, and there were tuna and porpoise and I was wondering when we were going to make a set of our net because we were seeing fish. Basically, what my dad was just observing what the other three vessels did, trying to figure out how to deal with this routine of porpoise, so those three boats got into a big mess. They had to leave the area and go to shore to repair their nets. We were out by ourselves and so what happens generally is around noontime. I remember it was noontime because some people were in a position to eat, but some people were not because you're in a ready position. You don't know exactly when you're going to let the net go. Everything sort of quiets down. Porpoise are gathered together and then a portion of that porpoise school, not all of them ... It's like sort of a leader so you can almost see it.

Behind these leaders generally will be the school of tuna. You spot that either by the shine or black spots, or other ways, or just avoiding the glare of the sun you can see - you don't see any" roiling. You might see some break sometime, but normally you don't. So at that particular time you know that the tuna are following a portion of the porpoise school and so basically what he did was just wait until there were few porpoise involved in relationship to the school of tuna. I remember making that first set. He came aboard to help put the net aboard and he told me, then we'll go out there and start releasing the porpoise that were in the net. So we went out there and tried to figure out how in the heck I'm going to get these porpoise out of the net. I figured it was pretty logical. I just cradled the small skiff over the corkline to sink the corkline. We couldn't figure out why the porpoise weren't leaping over the corkline. Certainly they had the capability, but they just wouldn't do it. They followed the leader and so what I did was start getting the porpoise out, just lifting them over the corkline and then they just sort of lined up. I kept on pulling until ...

RW: You ran the skiff over the corkline?

AF: Yes, over the corkline. I cradled it over the corkline.

RW: Some of the guys ...

AF: This was just my experience.

RW: Some of the guys jumped into the water to hold ...

AF: Yeah, I'm out there by myself and fortunately there weren't too many, so I just figured, well, I'll lower the corkline. They won't jump over it, so let's help 'em over. And as soon as I started getting a couple over, they just lined up. I mean they lined up in a queue. They knew that others were getting out so ... I remember one tried to [cut into] the line. I whacked it over the nose and to get back in line. It was certainly a funny experience. But what happened for us was very important because porpoise have very sharp teeth and if it gets caught, the teeth get caught in the net, they just rip it out. So I don't know how long I was doing that until my dad told me to come on in. But that was my first experience. I think the first significant fishing on tuna-porpoise by United States' tuna purse seiners occurred in 1946 off Costa Rica. There was a group of San Pedro seiners that went down with an operation. A fellow of Yugoslav descent [who] was very successful in the salmon business started up a mother ship operation in Costa Rica. He had LSTs, [landing ship tank] former LSTs that were there and his idea was to have the small seiners fill up the mother ships and operate off Costa Rica. And what they did was to fish tuna-porpoise off Costa Rica. A lot of us believed that the reason that there was a group of porpoise off Costa Rica that nobody could do anything with, (they were nicknamed the "untouchables") is because they were the survivors of that fishing and they knew how to avoid being captured by purse seine nets. So gradually the tuna fishing catching tuna on tuna-porpoise schools, you have to, in your mind, understand this is what we call a mixed school, a school of tuna and porpoise. And yet when they are traveling the identity, of the tuna school is maintained. I remember as a young kid asking fishermen, "Why do you think the tuna are with the porpoise?" At that time they all said, "We think it's because of feed - the porpoise know how to find the feed better." So you have tuna schools where you have pure tuna schools, pure yellowfin schools or pure bluefin schools or pure skipjack schools. And then you have what we call mixed schools where you have small yellowfin mixed with skipjack because skipjack are basically in the eastern Pacific where yellowfin get to be 150-, 200-, 300-pound fish. They sort of double their weight. So in the early years, therefore, you have the mixed school of yellowfin and skipjack and the small fish and they sort of hug the coast. And then as they get larger, they start to associate with porpoise because you have to be pretty good-sized tuna to keep up with the porpoise. Basically the scientists now find out that you have about a two year old yellowfin tuna, which is about 20 pounds or more, before they start associating with porpoise, not that you don't find some small tuna sometimes. But basically the tuna that are associated with porpoise are mature in terms of sexual activity. In other words., a yellowfin tuna really doesn't start to spawn until they are about 28 to 32 pounds. That's at 50 percent and then it starts going faster and later on, so maybe a 60 to 70 pound yellowfin tuna is almost sexually mature. That's one of the problems with the dolphin-save. If you're not able to fish these

mixed schools of yellowfin tuna and porpoise, of course, the fishermen concentrate on the juveniles for screwing up the whole works. They're killing,, off all of the juveniles who aren't reaching the age. And the reason you would lay off the small fish prior to that because it wasn't really worthwhile for the canners to deal with small fish. The size limit came about because a seven and a half yellowfin tuna doesn't produce much yield per pound, and so besides that, it was just common sense. Yet you find out that if you had a free-swimming yellowfin school out in mid-ocean, your chances of capturing it were pretty slim with a net. But, as we later found out, if you captured the porpoise school with the tuna there, the tuna would just sort of follow that porpoise. They wouldn't take independent evasive action; they would, just sort of, I guess, rely on the porpoise for evasive action, and so your chances, therefore, of success were set. It was at least 50 percent on the tuna-porpoise school. So therefore in the early years you had in the fleet, I'm taking 1947, 1948, 1949, 1950, 1951 - 1951 was the final year. I didn't go out during the summers from 1950 on; 1949-1950-1951 (?) were the last summer years I went. And, so what you had, you had some people willing to take the time to have the patience to fish tuna-porpoise schools, and you had some individuals up in San Pedro who really mastered the relationship between tuna-porpoise schools.

RW: Was there a consideration of not killing the porpoise?

AF: You don't want to kill the porpoise. To encircle them was not necessarily to kill them. You encircle them and then your next objective is to take them out, and so what you had was that during this period of time ... my initial reaction . Well, then fellows were figuring that what they would do is tie a steel bar to lower the corkline to get them out, doing everything possible to avoid ... It's sort of a dangerous thing, your going into the net and pulling them out. It's not exactly an easy task.

RW: Then the Medina panel came in.

AF: That was later on. From 1947 to about 1958 there were all kinds of ideas tried basically by the fellows up in San Pedro, figuring out what the heck they could do. What you want to do is that once you get all of the porpoise out, then you're basically dealing with the tuna in the net. Having the tuna in the net, especially at that time with cotton nets, it's still a tricky proposition to bring them up and not lose them. I mean, there's nothing so devastating as to just see that you caught all this fish and then suddenly you can just see it disappear because the nets ripped.

RW: There was a development in nets, too, when they went from

AF: Well, that was in 1954 with the nylon net, but that just increased the resistance of ripping. It was a major advance and that was brought about again by, I think, people connected with StarKist who worked with the fishermen up there to finance the experimentation. There was a captain by the name of Anton Missetich who was a very important guy. Anton was a very excellent fisherman and he was the one who really introduced the nylon net and purse seining. So what you're dealing with is this problem and you would have There was a fellow there by the name of John Zoorotich (his nickname was Blacky); he was an expert. He was a loner and he would go out and have the patience of developing his skills of fishing tuna-porpoise schools. My brother was on the wheel with him and he had a device up in the mast where he had a clutch where he would put the vessel in sort of neutral and then he would use a sounding device to cut away - in other words, cut the porpoise school to reduce the number of them. At that time, in the late 1940s and early '50s, there were no outboards or chase boats as we now know them. Just the idea of diesel engines in the main skiff was a new development. He developed this technique of working the schools so that gradually there were relatively few porpoise connected with the school of tuna, and, therefore, that increased his chances of getting rid of the porpoise, catching tuna and then moving on to another site. What you wanted to do was to move as quickly as possible to get to the bailing operation. You can't do that if you have a lot of porpoise in the net. So what you want to do is get them out. If you allow them to die, it is still in the net and the chances of ripping the net increases. I don't care whether it's cotton or nylon. In addition to that, you have to start thinking about further delays which is what we call cutting the net. In other words, dividing up the total mass into smaller pockets and bailing the pockets out. To do that you have to sort of divide up the net. Well, the more cuts, the more delay. The more delay, and

you're dealing with 80° water. You're going to bring the fish aboard all right, but how much of it is going to be good? So the whole idea in purse seining is to move as quickly as possible, and the ideal situation would be, like I said, more often than not we would rarely make a set involving more than 25-30 tons of fish because we could move quickly and reduce the problem of losing the fish, reduce the problem of putting on board bad fish, and we could make another set. So the whole idea in purse seining is speed. And if you have porpoise that are dead, you're just increasing your risk. So you have this sort of economic imperative to figure out how you're going to solve this problem. In 1958 this Anton Missetich (his boat at that time was called Anthony M.) - he came up with the idea of a "backdown."

RW: You backed the boat down which sinks the net.

AF: I talked to Anton and I said, "Anton, where did you get that idea?" I'll tell you that I think; I don't know whether it's true or not, but I'm going to try it on. He was an excellent sardine fisherman. One of the problems with sardines - you're fishing very close into shore and sometimes what you want to do is move away from shore, otherwise you're going to ground the boat and lose everything. So what you do you just put it in reverse, but you put it in reverse in the situation where you know your propeller is not going to screw up the net. So you've got to have that net forward of the bow away from the stern as much as possible. So you secure in midship and you go in reverse. When that happens ... I've seen it happen when you're going in reverse you're dragging the net. Everything sinks and some of the fish go out. He said, "Maybe that's better." He couldn't positively say that's it because I know he did it so I believe, I could be wrong, but that's the origin of the backdown. It's really an extrapolation of the experience of sardine fishing, so what he did was basically that. He just put the boat in reverse and secured everything possible midship and when he did that, he lowered the corkline. The concern, of course, was that as you lower the corkline the porpoise go out and so do the tuna because the tuna follow the porpoise. That was in 1958 and in 1958 there was also one of the first tuna bait boats here, the Sun King. It was sold to a San Pedro guy. He had a boat called Caesar Augusta, and so he was convinced to take this bait boat and convert it from a bait boat to a purse seiner. Now, the interesting thing is that one of the first large seiners at that time built the largest cotton tuna net in the world, called the Santa Alena (sp?), a fellow by the name of Andrew Zambrlin, an excellent fisherman, and he built this boat in Avondale and I remember seeing it in 1948. It was a giant. He fished that net catching tuna, porpoise and everything else. That eventually did make it. He converted that boat into a bait boat.

RW: All the other guys started doing the same thing?

AF: Well, no. You didn't hear what I said. It was a purse seiner, didn't make it, and so they converted that purse seiner, that boat, the Santa Alena, built as a purse seiner, to a bait boat.

RW: I got lost.

AF: And so what I'm saying is now in 1958 here in San Diego everybody and a lot of people were going busted - boats up for sale, marshal's sale. And so Larry came down and bought the SunKist for about \$33,000 and took it up to San Pedro and converted it from a bait boat to a purse seiner. That was the first one of this era. The second one, there was a fellow by the name of Lou Gredo (?) converted the Southern Pacific and he was the first San Diego fisherman to convert his bait boat to a purse seiner. He did that in 1958, and I went down on my honeymoon in May of 1958. A little place we stopped was in Peru and I saw the Sun King and talked to Larry. He left San Pedro because the unions would not give him a break, and he was convinced by people at StarKist to go down to Peru and see what he could do down there. So Larry told him, he said, "Well, I thought I had made the biggest mistake in the world buying the Sun King and converting it to a purse seiner. But (after) this last trip I think we're on our way." He said prior to that what he had was to try to make a go of it. He had to put racks on midship to catch enough fish to make a go of it. He converted one of his speedboats to a bait receiver, using the idea of tossing bait while the fish were congregating around that live bait. He tried all kinds of things. He wasn't making a go of it, but now he said, "I think we're on our way," He said, "I think we're okay." That was in May of 1958 and then I remember

coming back to San Pedro and telling my dad it looked like Larry's going to do all right with the conversion. And at that time I was the managing owner of a bait boat called the Challenger, a small interest. I, gradually, for a variety of reasons, decided to take over as manager, but I had to go in the Air Force in 1954-1955.

RW: You were drafted?

AF: No. I was in the ROTC (Reserve Officer Training Corps) program in college. So then I served my time. I again took over the managing ownership of the boat and tried to convince people to convert the boat.. from a bait boat to a seiner, and couldn't do it.

RW: Were you ever a practicing attorney?

AF: Yes, I .was in the JAG in the Air Force.

RW: What's a JAG?

AF: Judge Advocate General. Prior to that I worked for nothing with the U. S. Attorney. I was one of the first they call a research assistant and I had a number of my friends working for the U. S. Attorney there in Los Angeles, as I was waiting to be called by the Air Force. I had just taken the bar [examination] and so I figured, well, I don't care whether I get any money or not, just get the experience. So what I did was work four or five months for nothing as a research assistant. After that they initiated a program, and then after I got out of the Air Force, with the assistance of some of my dad's friends, I went with this law firm in Los Angeles which was principally involved in admiralty work. So I worked with them from 1958 to 1960, but they started getting out of the admiralty field and going into medical malpractice and I didn't care for that. While I was doing that I told my wife I wasn't going to go back fishing or anything like that, even though I was managing a boat. So after my efforts failed to get other people interested in my idea of converting a boat, I sold the boat on behalf of myself and the other owners. And then in 1960 I started working for an attorney in San Pedro. I worked with him and so what I had to do a lot, when I was working with the Los Angeles firm and San Pedro, was come down to San Diego all the time. Of course, the Challenger was a member of the Association when I was managing it, so I knew some of the people down in San Diego. I had come here every week practically, maybe twice a week, because I had to do a lot of the investigations. I traveled, mostly [in regard to] investigations, getting ready for trial. In 1960 I was doing a lot of work involving defense work for insurance companies, admiralty basically, personal injury field, cargo field, collision field. You're really representing insurance companies, principally Lloyds at that time, where they would have general agents in the States, and the general agents would designate law firms to handle the defense. Like I say, in Los Angeles the general agent that had designated that law firm up there to do a lot of admiralty work, his insurers no longer wanted to do admiralty, particularly fishing vessels. They wanted to do medical malpractice and I didn't care for that. I didn't care for defending doctors. Then I went with this fellow in San Pedro who was starting to do a lot of fishing boat defense work. But during that period of time, you could say from 1950 when I got out of the service, 1956 to 1960, I did a lot of the investigation of sport fishing cases, commercial fishing cases. And so as a result some of the fellows here in San Diego knew me and they asked me to take over the Association. I had known of the Association; I greatly admired Harold Cary because just as a fisherman at that time going up to some of the hearings held up in San Pedro. I represented [many of the] owners. At that time I formed my own line; this was an effort to try to change the tariff laws and I felt in my own mind that that was a losing cause. If anything it had to be down out at sea to compete, for the fishermen to try to get a tariff on frozen tuna because I figured that was the raw material. Basically that was in 1955 and things were pretty grim in southern California in the tuna industry.

RW: There were a lot of boats lost, too.

AF: Yes. Boats were being lost at sea, boats were being sold. It was a calamity.

RW: Some of the guys told me that the reason why they lost the boats, they kind of implied that they were dumping the boats for insurance purposes. They said, no, they weren't making any money so they couldn't put the money into the maintenance.

AF: A lot of people think that insurance companies pay off. Believe me, I represented insurance companies in losses. It's a rough go, but he's absolutely right. As a managing owner of the Challenger, you only had so much money to work with and the problem was that they were on a trip inspection system and the marine surveyor was God. The marine surveyor said a, b, and c, had to do it, and you refused to do it, and as a managing owner you're a fiduciary to the other owners. You make the decision you're not going to follow that recommendation and suddenly you don't have any insurance and you have the responsibility as a managing owner. So I had battles with Art DeFebver (?). (He was the marine surveyor?) Those were things that you argued, 'so what happens is you cut corners. You don't do what you want to do. Certainly when economic conditions start going down and there is less money to work with, I don't care what it is, I don't care how smart you are, you're going to make a mistake because you're not doing what you want to do. There's a lot of truth to that and the poor economic conditions prevailed. There are no secrets on a boat. Secrets will out.

RW: I was talking to some of the guys about, especially on the bait boats, the superstitions. They had all kinds of crazy superstitions.

AF: We wouldn't get superstitions out at sea. You have to understand you just come home, you just complete a wonderful trip, and you're already worried about what's going to happen the next trip. So it's a test every trip and every trip is a different situation. And so it's a trial each time. There is no rest.

RW: I told you I've interviewed quite a number of tuna fishermen. They all tell the same story, but there is such a variation of the same story, it's incredible - what's happened to them on trips and so forth.

AF: Anyway, getting back in 1960 I brought back to Harold Cary the first tuna sausages. That's what they were doing in Japan. It was sort of an interesting story because, remember right after the war there were [no] refrigerators in Asia or Japan or anywhere. They would get this product, this sausage, which was a combination of whale meat, pork, ' marlin, tuna. I° don't care - any of this and, it would hold up without refrigeration. I brought it back just to show them what they were doing. But that was sort of an interesting exposure to me - the Japanese industry and Japan in 1955. Anyway, I felt all along that Washington wasn't going to do anything on this tariff issue and that I wasn't going to waste my time and the Association on that issue.

RW: So you took on another issue? AF- I also believe, very strongly ... I couldn't get over how in San Diego people were so negative about the tuna industry. -

RW: The citizens?

AF: Wherever I went, the port - it just seemed ... I was just a young kid that's coming in here. I'm 31 years old and I'm seeing this tremendous movement of conversions of bait boats to seiners. To me we're on the right track and I don't see acceptance of this. And one of the first things, I had a hell of a time trying to get the Port District to let us repair the nets. There was no place to either fix the nets or anything else. With the help of people ... I remember Andy Borthwick, he was of help, and John Bates and I went around and around. Eventually we had this place where we would ... You would have to dip at that time, tar the nets, to reduce the damage caused by the exposure to the sun, and eventually the manufacturers would dye the nets. At that time we had a big dip tank and all the boats were making the nets. There was a lot of activity right here at the Embarcadero. One of the problems I couldn't figure out was why people just didn't see what was ahead, the future. It was very clear to me what was going on. That was in October ?960 when I came down.

RW: You know, I call that provincial thinking.

AF: That's one of the characteristics of the tuna business. It became very world-oriented right away and people weren't thinking, just a little coastal fishing community. People were thinking really wide, but the people just didn't understand what was going on around here. The other thing, I felt, here these folks are out at sea 200 days a year, maybe higher than that, maybe 250. They make a very little impact in this port. They don't have any - they don't make any demands. They would come in, go out.

RW: But you had the canneries here.

AF: What I'm talking about, the operation of the fleet itself was not like up in San Pedro where the boats were there all the time, basically going out three or four days a year. We never insisted on having a fishing dock or a fishing berth like up in San Pedro. What for? When the boats were in, where were they? Either unloading at the cannery or at the fuel dock getting fuel, or going to other docks to get provisions to get ready to go out. So - what do we need a facility for? We're transients; we're moving. We don't make any money on shore. We have to get out. Basically my approach was to the Port District, just let us operate and do the things that we have to do. There are a lot of things we can talk about.

RW: What happened to the tuna industry in San Diego?

AF: To me it's a combination of a lot of things that happened here, but principally it's I think the biggest issue facing the United States and other countries as well, is the whole economic - how to handle things economically in this world. How do you try to achieve a degree of fairness because basically what we're doing is we're sucking in on cheap labor, on taking advantage of people willing to work for less under conditions we wouldn't accept.

RW: Is that why the canneries are offshore now?

AF: No. We have such high demands here in this country for clean air, clean water, safe conditions, tremendous liability exposure.

RW: If you've ever been to Russia or Rumania, east bloc countries, appreciate what you've got here in the States.

AF: Oh, sure, no question. But how did that happen? That happened from the top down and basically what I'm saying is that we're getting these other conditions talked down, a little over the oppressive and basically you can have these things, but you can do it in a constructive way, too.

RW: Are you talking about the ...?

AF: I'm talking about the legislative overload in Washington, D.C. where they delegate everything to these agencies and never really conduct oversight as to what these agencies are doing. What I'm saying basically is the interesting thing about the tuna business is that it has sort of been on the cutting edge of lot of issues over and above, let's say, the average business here in town because it's had to go into the world and compete. As to here in San Diego, when I came down here they had one cannery. That was Westgate. Van Camp had left; StarKist had left; the canners had been concentrated in San Pedro. Van Camp had taken over an operation in American Samoa because Rockefeller financed the tuna operation and went kaput in American Samoa. And Van Camp said to them, "Look, we'll take over in American Samoa but you have to have a different attitude about accepting fish. You have to let [fishing boats] unload here because you're not going to get the Samoans to be fishermen to provide the fish and we're not going to get United States flag vessels to come out here when they're basically under the gun fighting the Japanese in the traditional areas, and

then to take a risk over here is sort of crazy." An important concept was developed in American Samoa and that is that four and five vessels can unload directly into American Samoa. That can't be done in California or Puerto Rico because of existing laws of the United States.

RW: I also thought that because the cost of processing was higher here than some other place.

AF: You're not hearing what I'm talking about. One of the important things in American Samoa is that any tuna vessel in the world can unload there. There are no restrictions, which I think is a good thing. That doesn't prevail in Puerto Rico. But the importance of Puerto Rico is that it's very close to the east coast market and Van Camp had taken over an operation in Puerto Rico in the late 1950s and wherever Van Camp goes, StarKist is going to follow. One summer, for about a month or so, I worked for a lawyer in San Pedro, a very famous admiralty lawyer. My dad thought it might be a good idea for me just to be exposed to it. My first cousin was his secretary. The first project he gave to me was: What are the obstacles to setting up a cannery? That was in the 1950s. Of course, at that time he was representing Van Camp. I checked out everything and it looked pretty good to me, so I submitted this report. He said, "You missed a big element." I said, "What's that?" He said, "What about the hurricanes? What's the exposure?"

RW: You got a lesson right there.

AF: I got a lesson right there. So what you had, therefore, is that it's logical what's happening in the business now; you're going to spread to these areas in competitions between the ...

RW: That's a good thing, isn't it?

AF: Right. And so here you start now thinking differently and in the 1950s you had this development down in Peru in the anchovy business. Why? Because the thinking is what we do here is wait for the birds to eat the anchovies and then drop all the stuff on the islands we call guano and that makes good sense. Remember now, the sardines are sort of disappearing off California, right, and so when the Peruvians ... Some of the guys talked, maybe it will be a good idea if we take the fish before the birds eat it. So one of the smart things that both Van Camp and StarKist did was to enter into joint ventures with the Peruvians and that started the explosion in Peru. What I'm saying is that California companies were now sort of moving out and what you had at the same time Van Camp was accommodating the Japanese. The Japanese were being permitted to come back, whether it took to go into the tuna business to get the dollars or what, but they were now being allowed to fish and now to unload in American Samoa. The Japanese started expanding and by 1958 they were fishing tuna in all the world's oceans. Why? They were starting to push fish into Puerto Rico, starting to push fish into American Samoa. And they were starting to develop their own [canneries?]. The United States tuna industry is now in an interesting confrontation with the Japanese, one of the first industries to be hit with the Japanese competition.

RW: Wait a minute. The Japanese are bringing in their fish to American Samoa for processing. Why don't they take it to Japan for processing?

AF: They did that, but initially that takes time. But they're building up their fishing industry. The United States is helping them and what I'm just saying is that we're starting now to get more world-minded. I'm giving you the original sources of this. After the war - initially after World War II we're confronted with the Japanese competition. We come back to 1946, 1947, 1948, 1949, we are developing this whole area all the way down to Peru, getting boats back from the Navy, getting new boats built. There was tremendous development. All you have to do is head south, and then we're starting this development down in Peru. In 1958 I went to Callao and I saw all of these boats coming in fully loaded. It reminded me of my sardine days. A blind man could see what was happening. All you had to have was smell and you knew what was going on. What you had, therefore, is the tuna industry; in fact, the people, the main players, being exposed to the world. This is realism, this is what you're going to have to do. All this baloney, this b.s. about, "Well, we've got to compete." Baloney, the primary policy, we're going to help them out. If you fall on the sideline, you fall on the sideline and suddenly in San Diego, boom, six canneries, a booming fleet, everything else. Everything starts hitting in the early 1950s, a virtual

collapse going on. And so here is our family. We have two purse seine vessels, an interest in one of the bait boats and we're saying, wait a second here, the bait boat's going down the drain. We're surviving even though we have problems with the union, unrealistic demands by union; we're still surviving on the purse seine.

RW: Which unions are these - the fishing union?

AF: It's the fishermen's union. Up in San Pedro there was an AFL-CIO [union] affiliate, and there was an IOW [union] affiliate up there.

RW: Were these the fishermen themselves, or ...?

AF: Yes, the unions represented the fishermen. I belonged to the union. It was a closed shop. One of the interesting things that I did was that in a graduate school my minor was Industrial Relations, so I got to understand the union laws. Here we're heading this giant, and what it is is a foreign relations policy, using trade as one of the devices to implement that policy. The policy was we're going to help out the European countries; we're going to help out the Japanese; we're going to get them going. I recall at that time a guy by the name of McDonald. He was representing the U. S. steel workers, and - oh, yeah, we can compete. You don't have to worry. If you can't compete, get out. It went down the drain, but at that time there was this resistance, and it just seemed to me, like it or not, and I remember at that time everybody thought the tuna business was [strong]. We were just starting to go and the reason for that was at sea we wouldn't be able to compete.

RW: I'm hearing one thing and I think you might be saying something else. I'm hearing you say, "Well, you're going to be the good guys and help the Japanese after they lost the war," and on the other hand, "business is business and you gotta compete."

AF: You have to face the reality that your government's not gonna really help you out.

RW: So why are you helping the Japanese?

AF: Who's helping out the Japanese? The United States government is.

RW: But the tuna fishing was also helping them out?

AF: How? By buying the fish?

RW: Okay, by buying their fish.

AF: Sure. Either we buy them or go out of business. That's how the canneries up in San Pedro survived. Why do you think you had boats here tied along the dock for three months or more?

RW: They had no place to unload.

AF: That's right because their guys were taking the fish from another source. So what happened here was there was only one out and this is develop and increase the market in the United States for canned tuna. There's no other option. I just gave you that as an illustration. We were one of the first industries to be confronted with a trade problem. It is very common today with the tuna industry because of these events. What made it possible for

our boats to compete and to use the things that were real? One, acknowledge [the fact that] the San Diego people [knew] about the fishing grounds. Nobody knew them better.

RW: Based on the bait boats?

AF: That's right. Nobody knew this area better. Number two, they're competent, they're aggressive, they put money in their boats. I saw it because up in San Pedro, look what happened there. I look at San Diego. Guys took good care of the boats down here. They had a managing-owner thing. We got independence and then you had people who knew what the hell they were doing. The problem they had was how in the hell were they going to compete on price. The purse seiner gave them that option because they weren't dependent on shore side for bait. They only had one thing - catch fish, and they didn't have shore side [problems and costs]. What was the other thing that they had? Union, and what happened? Well, fortunately, in the merchant Marine you have fragmentation, different bargaining, different bargaining units on a boat, master's mates, engineers, seamen [and so forth] all screwed up. Fortunately there was a decision by the National Labor Relations Board that ruled that each vessel, each fishing vessel ... Tape 2, Side D Well, how was this fleet able because in San Pedro we're having all kinds of trouble. The unions are being unreasonable. I'll give you an example. My dad says, well, he wants to put all brine, gradually put it in; don't make an investment like that, you want to get more percentage for the boat. In San Pedro it was not 50-50; it was not even 51-49 in favor of the boat owner. It was 47-48 for the boat owner and the rest for the crew. That's how you divided it. Who's controlling the price negotiations? The boat owners? Hell no - unions.

RW: I have an expression called, don't kill the golden goose.

AF: We're having a lot of trouble and I'm a little tuned up to this, like I say, because I majored in Industrial Relations. Anyway, getting back to the West Point (?) Carl Hankin and the ruling came down that the majority of the crew members could decide what union they wanted to go. Well, at that time the unions here in San Diego, the engineers union, they had the AFL-CIO, a lot of problems. I don't know how much the fishermen talk to you about that. You probably never asked a question about that. There was a lot of crap going on in San Diego. Up in San Pedro was this Italian guy by the name of John Calise, and he had a small union, the AFL union, more or less represented the Italians and there was a major, major lawsuit up there. I don't think I had to give my dad advice; I think he made his own decisions. Basically I said, don't get involved in it. There was an effort up there to try to rationalize things in San Pedro. It was a very costly affair and the boat owners basically lost it. John Calise was an element in there of reasonableness. He was reasonable because he wanted more and more members, but John had a pretty good head on his shoulders. With this ruling the West Point (?) met with the San Pedro union, IOW union, rather than the San Diego union. Now the San Diego union is starting to lose control. I came in in 1960 and one of the first things I recommended at the meeting in December of 1960 (I had just been there a month and a half, two months), I said okay, let's send notices of termination of the contract with the San Diego union. Basically what we were trying to do was split up the fleet so that one union wouldn't have dominance over the situation. All of them would understand they would have to be a little bit more reasonable if they wanted to represent the majority of the crew members on the boat because the guys on the boat at that time - everybody was worried about jobs, the boat being converted. The previous contract with bait boats was over with; the new converted seiner was up for grabs as to representation.

RW: I didn't realize they were unionized so much. I thought this was sort of, "I'm the skipper and I got a cousin over here and he's got a buddy over there and everybody's family." It didn't work that way?

AF: The only boats that were not union were in Puerto Rico, so basically therefore my first years, among other things, were involved with National Labor Relations Board elections. My job was basically to see to it that we don't have union control over everything. Let everybody be reasonable, but the union leader's got to have a place to hang his hat. And he's gotta tell these guys that are unreasonable, saying, "Look, if we keep on going that way the other union's going to get that boat." What happened basically in San Diego they always had boat share, at least 50 percent. What we did was to

get rid of the San Pedro contract that would have been part of the cancer that screwed things up. So we had to change that contract; we had to renegotiate a new contract. One of the hidden elements that made it possible for this fleet to successfully compete out at sea was that we rationalized, as I use that word, the union arrangement on the boats, the working arrangements, the working contract on the boat. It provided people saying, "Hey, I'll invest 'cause I'm going to come out." So it was not just all technology, changing from bait boat to seining. The background, you have to understand, with the union arrangements, the working arrangements, that made this all possible.

RW: The thing I'm curious about - how do you cut up the pie because ... ?

AF: How do you cut up the pie?

RW: You got to remember, part of that money has to go back into the boat maintenance, part has to go into provisions, part into shares, who gets the percentage of the shares?

AF: It was pretty straightforward at that particular time. I remember representing, just to give you an example, some of the boat owners trying to get the boats to go to Puerto Rico and operate from there, they would pay the guys a dollar a ton, so many dollars a ton, as distinguished from the share arrangement. So there was at that time these deals, sort of screwy because what happens is that, since the boat owner picks up all the trip expense, and yet you have virtually no control over that. In addition to that, you're paying so many dollars per ton, but what relationship does that have to the size of the fish? If it's all undersized, the revenue's down. At that particular time it was a screwy way of operating; it was a quick way of going broke.

RW: It was a percentage basis?

AF: Share basis. What you have here on that basis was that you have gross revenue reduced by agreed items of trip expense, basically, trip expense being consumables, items that are consumed or items related to making sure you have proper weights and proper rejects of the canner. Then with respect to food, the guys on shore aren't eating that food; the guys on the boat have to split that off. Then as to the actual trip expenses, food is a separate item. Then what you do is you might have agreed preferential shares; if the navigator does extra work he gets maybe a half a share in addition. You have a chief engineer who is a very important guy, so he gets two shares instead of one. The skipper maybe gets three shares, but under the union contract it doesn't designate what the skipper gets. That's a deal between the owner and the skipper. So if the owner wants to keep that guy, he'll pay him more. He doesn't have to let [anyone] know about it, so the balance, therefore, takes care of what the boat owner has to pay out; the rest of it is divided among the crew members on a share basis. The other thing is what we had there was that one of the problems, because of my experience in defense work, was encroachment of lawsuits. You talked about killing the golden goose. That was a very important element here that really created problems aboard ship, created problems in the industry and is a bad aspect.

RW: Everybody got "sue" happy; is that what you're saying?

AF: That's right. That had a lot to do with the canners saying to hell with ownership operating U. S. boats. Let's get out. Fortunately with the movement to the west, the problem of solicitation, lawsuits in San Diego disappeared. It was a major, major problem as we were getting into economic problems. It was something I never thought would happen, which was basically that the canners ... I thought in my own mind that the proper trade policy would be, hey, look, the raw material comes into this country tariff-free. With respect to the canned product, you've got to provide some protection. You just cannot expect U. S. workers ... can't work at 50 cents or 35 cents an hour like they do in Thailand. You can't expect increased regulatory costs of operating on tideland property and the uncertainty what those costs are going to be and not at least offset that. You know what they do in Bangkok, Thailand? Here's a country that doesn't have any tuna resources to speak of off its coast, no fleet, yet it is number one place in the world that processes canned tuna.

RW: That's because it was brought into them?

AF: That's right. It's brought in there and because, number one, they have tax deals by the government. Also, a sweetheart deal was about labor and everything else. Now, what happened recently was Bangkok has been expanding. You had to move those canneries and move them to another area. So what you do is give them another deal. In other words, after the first deal ends, you just move and establish another deal. I mean, how stupid can we be in this country? And we say, "Well, that's free trade." What I'm saying is that what you have here is ... I said, "son-of-a-gun, you mean to tell me that this country doesn't recognize irregularity." [This was] something that I never thought would happen. I'm not giving you the complete story because the other element that happened here was that we sort of did it to ourselves.

RW: You gave me a tremendous overview that no way could I have known beforehand. But, getting down to Greenpeace, porpoise killings, and so forth, I was always under the impression that's what took the industry out of San Diego.

AF: Well, basically, the passage of laws pushed by Barbara Boxer and the congressmen pushing for a Senate seat, who wanted to make sure she was friendly with the environmentalists, the law that she pushed was basically really on very untruthful allegations at that time. Going back to it is the Marine Mammal Protection Act; the first hearings were held in 1971. You have to understand that. Remember now I told you that the principal device for releasing porpoise alive was developed in 1958. It was introduced into the San Diego tuna fleet. So the principle method of releasing porpoise alive by back down was in place and being used before the legislation that was being considered, and most of the Marine Mammal Protection Act was principally aimed toward the whales. The whales were a big element at that time, the big concern. But the way the language was drafted, it included all marine mammals. In the 1960s one of the big issues that we had to face was tuna conservation. ... Tuna Commission which is based in La Jolla was created from the treaty that was negotiated between the United States and Costa Rica in 1949. The commission itself came into existence in 1950 in a law called the Tuna Conventions Act of 1950. It was a law designed to implement the recommendations of the commission. So the real question was the effect of the introduction of the purse seine fishing here and the problems caused by South Americans on seizures and things like that. We've had tuna scientists aboard our vessels since the early '50s, since 1953, and so the question was - we need to implement conservation recommendations. So the focus of the scientists and everything else was that they knew about the tuna-porpoise relationship. But everyone was concerned - are we over fishing tuna? No one was taking a count; the scientists weren't taking a count on the impact of the porpoise take. We knew that in the initial years, as people were becoming acclimated to the porpoise fishing and the purse seine fishing, a lot of mistakes were made. A lot of tuna was wasted because people made mistakes. So you had this process where you could say to anyone, that's a tough problem getting the porpoise out of the net alive, so you're going to have high mortality. It wasn't hidden and everyone knew it in the business, but people were gradually developing the technique because if I can make a set faster than you, and get out of that set and make another set, I can go home faster than you. So you had the economic [conditions] pushing you. You're just a smarter fisherman; you're a better fisherman. Suddenly, I remember, I was contacted by the director of the National Fishery Service, "How about allowing this guy to go on one of the boats? He wants to conduct a study on something (I don't remember what it was) not related to tuna-porpoise." So the guy went on the trip. The captain was Louis ?. We all called him Uncle Louie. He always reminded us, saying, "I'm the one." This guy came on there and he started taking a count and from that trip he started extrapolating. He said, "If the mortality was on this boat during this trip and if we have all the boats doing the same thing, this is the mortality." And he presented this paper up in Stanford [University] without really checking on anyone. Suddenly people in the National Fishery Service, as a result of that presentation at Stanford, came down to see us. Now we got to work on the tuna-porpoise problem. We said, "We don't even know what is going on." No one's taken a count so we had one of the meetings and at that time Harold Medina was at the meeting and he said, "I think we ought to talk about making a smaller mesh so the porpoise don't get entangled." The guys from the National said, "Oh, no, we're going to talk about an hydraulic gate." So they went that tack and Harold said, "I'm going to do it on my own." This is in 1970. In April 1971 he comes back to me and says, "Oh yeah, I think we're on to something that really works." I said, "Okay, Harold, come up with a plan [of] what you did and we'll [send it] out to everybody." That was in April 1971.

RW: You're talking about the panel?

AF: Yeah, that's the Medina panel. That's the origin of it. The origin of it was a meeting in 1970 with the government people and the National Fishery Service and a group of skippers at the Association, trying to figure out what we ought to do. Harold said, "I think we ought to look into this idea." Nobody was interested. Incidentally, this hydraulic gate never worked. That failed. Harold spent the money on his own to come up with that - at that time a two-inch panel. You have to remember you have a water problem; you have to make sure that the mesh is so fine; not enough water is going through the bucket; you're perforating the water bucket. You've got to make sure that the holes are big enough or not enough water is going to go through. Otherwise, the whole net's going to sink, so you've got to reach a certain happy harmony. One of the first hearings we had back in Washington, D.C. "Oh, we've got to push for legislation. What's the mortality? We don't know. Nobody on the boat's taking a count of that." We assume that the Tuna Commission knows what's going on and everything else. So people start coming up with these extrapolated figures based on no data at all. Up to that point there's maybe 40,000 sets made on tunaporpoise schools because every set is recorded on tunaporpoise so we knew how many tuna-porpoise schools were set upon. That's in the log book records in the Tuna Commission. But what's the average mortality? And how many porpoise were in the schools that were encircled? So there was just this absence of data. We didn't know it, truthfully told; Congress didn't know and people started coming out with these ridiculous figures out of the air, to accentuate the problem.

RW: I understand there was a devastating film made down in Panama.

AF: That's the second episode. You have to understand that at this particular time now nobody knows really what's going on. Yet there's this strong desire to get this marine mammal legislation through. And if we have another problem, this accentuates the need for this and the agency says, "Gee, we'll get another budget; we're all for this; more work for us."

RW: Is that how it works?

AF: Sure. The agency comes out; we have a meeting. Nobody knows what this figure [is] - well, do you have a guess? We don't [know] what the numbers ... The only thing we can say is let's get a database and have more people come out there. I said, "I don't know how in the hell ... I don't care what it is; I don't care how good you are, you're going to have this mortality, at least based on my experience."

RW: Would you say about half a dozen would be killed?

AF: I don't know. I thought for sure in my own mind, you can't I don't see how anybody can reduce this down to less than 20, or 10. That was based on my experience. So you can say how many sets were made during the year, but it doesn't work that way. It's much more; it depends where you're fishing because some porpoise are used to this. They're acclimated to it. We call them "Sea World porpoise." They know what to do; they know ... and they go out. There's no problem at all. I'm saying basically, therefore in 1971, at the time of the congressional hearings of the Marine Mammal Protection Act, we don't know what's going on. Nobody knows what's going on. But the guy from [somewhere] comes up and says, "They kill no less than 250,000 a year." Some guy at the Smithsonian says, "They kill at least one million." All of this baloney comes out and now, of course, this excites the environmental community which is interested in this whole thing because now they really have something.

RW: Is that over and above Greenpeace?

AF: This was before Greenpeace came into the picture. Greenpeace came into the picture later on. So what you had, you had these organizations like Committee on Humane Legislation, protectionists. What I find out in meeting with these groups back there, essentially what you want to know, is that extremists will push more reasonable and [take] the extreme position because these outfits are out for your contributions. They've got to have these

voluntary donations and contributions to continue on, and they've got to have an issue. At that particular time there was this real issue about whales; people were concerned about them and everything else. Suddenly we get into it because this congressman from San Pedro is thinking that he was going to help out the industry, says, "We've got to have an exemption for the tuna industry on this one," without even talking to us in the industry. It was a tough battle there and at that particular time struggling with other issues as well. Since 1971 we had over 50 vessels seized. We were right in the middle of the law of the sea negotiations. And so we're trying to grapple with two major issues because both affect access. If we can't go within the 200 mile zone, access to fishing grounds is denied. If we can't fish tuna-porpoise schools, access to tuna is denied to us. So both of them are in terms of the most critical issues that you have in the tuna business - access to the resource. If we don't have the opportunity to make a set or to fish a school, you have nothing. If you are denied that because of territorial jurisdictions or claims of jurisdiction over the fish over 200 miles, 500, why not go 1,000 [miles]? If you say you can't fish tuna-porpoise schools, you're hitting at the guts of our ability to compete. We are dead! Now, if we can't, therefore, encircle the tuna-porpoise schools, and that's what "dolphin-safe" means, it means you can't encircle that mixed school. If you do, regardless of how successful you are, even if you get all the porpoise out, which incidentally happens at least 60 percent of the time, you still cannot call that load dolphin-safe. If you make one set during your fishing trip on a tunaporpoise school, the entire load cannot be labeled dolphinsafe. That's how ridiculous we are. So what they did, what did they say? Here's this traditional fishing ground that we developed since 1919 and in order to economically compete with anyone, you have to fish tuna-porpoise schools. You can't do it in the United States.

RW: You're talking about a food crop?

AF: That's right, but it is the environmental interests and you cannot underestimate how strong they are in Washington, D. C. You can never overestimate their power; you should never underestimate their power either. We were in this law firm, Covington (I forget the other partner names), a big law firm, and the canners employed them. We were at this meeting and one of the guys said, "Well, what we're going to do is we're going to regulate you out of business; that's what we're going to do." We go to another meeting. They have an organization in Washington, D.C. called "Monitor." Monitor is composed of all these environmental organizations. Now if businessmen all got together and decided what they're going to do, who they are going to attack, that would be a violation of law. But it's okay for these environmental organizations to get together, like at the meeting, and basically tell me and others in the business, "Hey on this tuna-porpoise Well, they don't want to call it porpoise because that doesn't get to the public. They use the word dolphin because we had "Flipper" [television program] on there every day and know the word dolphin. They don't want to use the word porpoise. Besides that, you know some of these congressmen don't know how to pronounce the word porpoise - "porpi" or "porpu." It's funny and so what they did, one of the techniques they did, let's change everything to dolphin, dolphin-safe, dolphin-this. You never get the environmental talking about ... Oh, they get upset when I use the word "porpoise." I said dolphin can mean two things, let's be precise here. Dolphin fish - in Hawaii they call it mahi mahi; or dolphin, a marine mammal. Porpoise - everyone knows we're talking about marine mammals, not a fish. They get all upset when I use the word porpoise.

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END OF INTERVIEW
