

undercurrent

The Private, Exclusive Guide for Serious Divers

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All West Apartments and Diving, Curacao

good diving on the island's remote west end

IN THIS ISSUE:

All West Apartments and Diving, Curacao.....	1
Thumbs Down: Sunset Divers, Curacao	3
Wait Times for Flying After Diving.....	4
Cheng Ho, Raja Ampat	5
Raja Ampat Liveaboards....	7
Tipping on Dive Trips: Part II	8
Top Wreck Dives of the World....	9
What Happens If You Miss the Boat?.....	10
Look Before You Leap.....	11
Want to Sue That Dive Shop? Think Again.....	12
History of the Wetsuit	13
Divers Saved After 40 Hours at Sea	14
Sleek BCDs from Mares and Halcyon	15

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Dear Fellow Diver:

"Hey, did you see the seahorse?" That's the question all divers and snorkelers asked each other during my March stay in Curacao's Westpunt region. A five-inch-long brown seahorse had attached itself to the mooring line of a fishing rowboat in the small bay of Playa Piscado, the house reef of All West Apartments and Diving. I called him Seabiscuit. Nearly every day, I geared up in front of my room, and, after checking to see if Seabiscuit was still curled around his rope, swam out over the sandy bottom to the reef, which sloped down at 20 feet and gave way to a sandy bottom at 75 feet. The reef was dominated by healthy, forest-like mushroom coral formations in both directions, and I saw octopuses, turtles, reef squid, eels, many species of anemone and a large variety of juvenile fish.

Curacao diving is similar to next-door neighbor Bonaire, with easy shore access and abundance of marine life, and the topography is just as arid and covered in cactus. But I keep returning to this Caribbean island because it also boasts beaches in small, secluded inlets. My shore dives had very easy entries -- all I had to do was walk down the beach into the 80-degree water. Beaches put the reef further out but the surface swims are easy and they do offer better exits, compared to Bonaire's many rocky, slippery sites. The best beaches and the majority of dive sites are on Curacao's west end, or "Westpunt."

Farther up the coast from Habitat Curacao and Sunset Water Beach Resort, Westpunt is a good place for divers who don't want the crowds and casinos in Willemstad but want a sense of civilization.



All West Apartments



Dive shops and beach bars are near most dive sites. After laying out on a beach towel on Playa Piscado's soft sand, I could go someplace for dinner where the chef and wait staff called out hello, and end the evening drinking and chatting with local fishermen and a mix of American and European divers. It's known as the wild west end, but Westpunt is relaxed and gracious. No wonder Seabiscuit chose to hang out here.

After a three-hour flight from Miami, I picked up a rental car after landing at the airport, stopped at the nearby Centrum supermarket for groceries, and made the half-hour drive to Westpunt. The well-paved road runs northwest from Willemstad through the hilly, desert heart of Curacao. The

closer to Westpunt, the more rugged and mountainous it gets, with the 1,240-foot peak of Christoffelberg, the island's highest point, looming ahead.

I had done boat dives on past trips so I focused on shore dives this time, but the majority of sites are shore-accessible anyway. All West offers airport transfers and rents Suzuki compact cars and pickups on-site. I drove to the Tugboat site early because masses of snorkelers can be swarming later in the day. The small tugboat sits in just 10 feet of water, overgrown with tube sponges and brain corals and festooned with bright-colored nudibranchs. Drum fish and a pair of French angelfish hovered as I spent my safety stop exploring the pier, where a startled octopus under an iron pipe ejected a puff of ink. Then heading for shore, I followed seven squid for a few minutes, and encountered a sharp-tailed eel that quickly buried himself in the sandy bottom. A snack bar was located on the beach, perfect for a quick tosti sandwich of ham and cheese and a cold soda between dives.

Despite being remote, Westpunt can still be pricey. Instead of the upscale Lodge Kura Hulanda and Marazul Dive Resort, I chose All West Apartments for its under-\$100 room rates. Louis Lopez Ramirez, All West's smiling owner, checked me in. The sunny yellow complex of 13 units sits on a cliff 30 feet above the small public beach. Units, all with well-equipped kitchens and oceanfront views, range from studios and junior one-bedrooms to large one-bedrooms. I rented the latter, which had an airy, tiled living room/kitchen combo, a king-size bed and two air-conditioning units. Furnishings were simple but clean, and hot water was never lacking. Although daytime temperatures reached the upper 80's, the trade winds let me keep the windows and sliding doors open, although mosquitoes were pesky at night. A sliding door in the living room led to a spacious balcony, from where I could watch fishermen tie up their rowboats and unload their catches as the sun set.

All West has its own branch of Ocean Encounters Dive Shop (five more are scattered around the island). A large room with both beach and street access had plenty of racks and bins to store my gear, plus a fill station, rinse tanks and freshwater shower. No Nitrox but aluminum 80s with DIN and yolk valves, as well as 60s and 72s, were always at the ready. Andreas Kaufmann, a German divemaster who spoke fluent English, was quick to give suggestions and briefings on dive sites. The Ocean Encounters shop just down

All West Apartments and Diving, Curacao

Diving (<i>experienced</i>)	★★★★
Diving (<i>beginners</i>)	★★★★★
Snorkeling	★★★★
Accommodations	★★★★
Food	★★★
Service and Attitude	★★★★★
Money's Worth	★★★★★

★ = poor ★★★★★ = excellent
Caribbean Scale

the shore at Playa Kalki is larger and runs two-tank boat trips to sites like Mushroom Forest, Watamula and Klein Curacao. The Luhrs with two 240-HP Volvo engines carries 10 divers while the Eduardoño with two Yamaha 100-HP engines carries 16; both fiberglass boats carry radios, oxygen, life jackets and spare gear. On past trips, I went with boat captain/divemaster Tuki, a laughing, corkscrew-curved Curacao native who's always willing to tell a "fish story" and pull a light-hearted prank that will have every diver laughing. After returning used tanks from a day's worth of diving, Andreas and Bea, a Dutch divemaster with Ocean Encounters, joined me and my dive buddy to swap stories and recommend places to go for the next dive trip.

The drive to Porto Marie took me past a lake thronged with coral flamingos. I dropped my tanks and gear at the beachfront dive shop, then parked a short block away in its guarded parking lot. The beach here is pure white sand, and the site is unique because it has a double reef. A short swim over the white sand bottom and I was on the first reef at a depth of 20 feet. Marine life was sparse so I crossed over the sand channel to the deeper second reef at 40 feet, where several cleaning stations were filled with large snapper waiting their turns. The reef is in good condition with multiple corals but, as in most Curacao sites, juvenile and small angelfish, damselfish and butterflyfish abound while larger fish are absent. The dive shop manager who let me store my gear told me that a frog fish was photographed here the day before, but I missed it on my dive. Lounge chairs and an upscale beach bar make this a place for relaxed divers to enjoy a few tanks with lunch and snoozes in between. Like in Bonaire, car theft is an issue so don't leave items visible in the car, but sites with dive shops or beach bars usually had lockers or storage areas.

I took advantage of the kitchen and All West's beachfront BBQ grills, charcoal and lighter fluid and cooked up a few dinners to eat on my balcony, intermixing them with visits to Westpunt's restaurants. A block away is Jaanchie's Restaurant, a roadside shack specializing in local Papamiento fixings like curried goat, heaping platters of shrimp, dirty rice and beans and even iguana, which locals consider a potent aphrodisiac. Jaanchie's is far from fancy but the fare is tasty and comes with a great view of bats sampling the bird feeders at night. A hearty dinner for two was just under \$40. Sol is a new, alfresco restaurant run by New Hampshire expats David and Sunshine Livingston (they also rent out a three-bedroom apartment on the second floor) open

Thumbs Down: Sunset Divers, Curacao

A serious problem could occur if a diver, thinking his tank was filled with compressed air, actually had Nitrox – go too deep and he risks oxygen poisoning. And a diver thinking he had Nitrox when he was really breathing compressed air could be equally in trouble if his bottom time was based on Nitrox, and therefore too long for air.

So that's why subscriber John Bittner (Cedar Park, TX) sounded the alarm bell when he dived with Sunset Divers' main shop at Curacao's Sunset Waters Beach Resort in Curacao. Says Bittner, "The only way to determine if your tank was compressed air or Nitrox was to look at the color of the valve protector. If the cap was green, it was filled with Nitrox; any other color, it was compressed air." Plenty of opportunity for confusion and error.

Bittner only dives with compressed air, but on his third day out, he found his BC and regulator connected to a Nitrox tank. "The DM said 'oops, my mis-

take,' but this was day three of a seven-day trip. You think it would be clear by now."

When he asked why Sunset Divers didn't mark their Nitrox tanks with permanent Nitrox labels, Bittner was told that relying on just the cap color gave crew the flexibility to fill any tank with either compressed air or Nitrox at any time, depending upon the diver count.

Of course, the problem is not only making an error in tank content, but if a tank comes back from a short dive half full of Nitrox and the next fill is compressed air, the tank has got a lot more oxygen than one reckoned for.

Sunset Divers might get away with this given the relatively short and shallow dives it offers, but should a diver deviate from the norm, he can face a problem. Rather than investing in a few more tanks, Sunset Divers is increasing the risk to its clientele.

Wait Times for Flying After Diving

How long on the ground is long enough for divers to beat decompression sickness in the air? Duke University Medical Center has published a number of studies on the effects of bottom time (BT) on preflight surface intervals (PFSIs). Simulated dives were carried out in a hyperbaric chamber and subjects were assessed for the presence of signs and symptoms of decompression sickness after diving and before, during and after flying at simulated altitude. The risk of decompression sickness was assessed for a variety of dive profiles, including repetitive mid-depth, no-stop dives and a mid-depth long duration deco dive.

These studies make it clear that the incidence of decompression sickness decreases as PFSI increases, and repetitive dives generally require longer PFSIs to reduce risk than do single dives. A striking finding of a Duke study on PFSIs published in 2007 was that low DCS risk wait times for a single 60-foot, 120-minute dive with a large deco obligation were nearly 12 hours shorter than for a pair of moderately long, mid-depth, no-stop dives. The reasons for that result are speculative. It may be that repetitive

ascents create bubbles in tissues outside of blood vessels, or that decompression stops reduce bubble generation and promote non-problematic off-gassing.

Here are the Diver Alert Network's current recommendations: "For a single no-decompression dive, the minimum preflight surface interval should be 12 hours. For multiple dives per day or multiple days of diving, a minimum preflight surface interval should be 18 hours. For dives requiring decompression stops, there is little evidence on which to base a recommendation; however, a preflight surface interval substantially longer than 18 hours appears prudent."

While the multiple and complex issues of deep stops and PFSIs still need to be further clarified, divers can feel secure by following the current recommendations for reducing DCS. Short and shallow profiles, slow ascents, long safety stops and surface intervals, use of EAN-to-air tables, mid-week breaks on extended trips, proper hydration, and conservative delays between the last dive and flying combine to decrease the occurrence of DCS to a minimal level.

-- Doc Vikingo

only on weekends. David makes the tasty \$10 pizzas while Sunshine offers up delicious entrees like grilled snapper for \$16, and chicken Marbella and Asian pork roast for \$14. After cooking, the two sat down with me and other guests for good conversations over post-dinner drinks. I splurged at Watamula, the main restaurant at the upscale Lodge Kura Hulanda on Playa Kalki, and stuffed myself at the \$25 buffet they serve every Saturday night - this one was an Asian theme complete with sushi and shrimp. Sit-down meals on the other nights are mainland priced --tempura shrimp appetizer for \$10, blackened local swordfish for \$21.

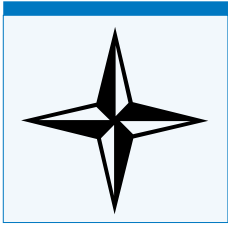
I drove south to the fishing village of Lagun to dive Playa Lagun, a small, horseshoe-shaped bay with steep walls and a sandy bottom at 25 feet. My buddy and I had planned to swim out to the reef and go down to 80 feet but when we hit a strong current, we headed back into the bay and explored the wall's nooks and crannies and the rocky coral rubble at its base. I poked through large sponges and photographed cleaner shrimp, arrow crabs and banded coral shrimp.

During surface intervals, I hiked the Southwestern-style hills of Christoffel Park and did some birdwatching, but I skipped the casinos to focus on night dives. Starting out from All West's house reef, I was greeted by tube-dwelling anemones protruding from their daytime hideouts on the sandy bottom. They were willing photo subjects as their tentacles searched the water for food. The reef was more lit up than any casino in Willemstad -- orange cup corals, brain corals and flower corals were all fully extended and feeding. Also on the prowl were crabs, shrimps and eels.

On my last day, I made a final visit to Seabiscuit at Playa Piscado, which never ceased to produce new sightings for me. Spying a juvenile drum fish swimming under a small ledge, I looked closer in and found a coral-banded shrimp hanging upside down. An anemone perched below the overhang played host to a dozen squat anemone shrimp and a spotted cleaner shrimp. On top of the ledge was a hydroid sheltering an arrow crab. Nearby were Pederson cleaning shrimp waiting for their next cleaning appointment to arrive. A wave of brown chromis moved along the reef while a school of shimmering blue tangs headed in the other direction.

Curacao will always be a runner-up to Bonaire, but Westpunt is a find for divers who like their lodgings away from the crowds. Big fish are hard to come by but the easy access to beaches, reefs in good condition and abundant macro life are nothing to sneeze at. Seahorses are pretty picky about where they choose to reside, so because Seabiscuit decided on Westpunt, divers should follow suit.

-- A.J.



Diver's Compass: All West offers studios for \$66, junior one-bedrooms for \$88, and large one-bedrooms for \$99 . . . A six-day dive package of tanks and weights is \$132, and two-tank boat dives are \$74; All West offers cheaper multi-day package prices for rooms, diving and car rental . . . Airport transfers are \$20 per person . . . American Airlines flies nonstop from Miami with average fares of \$550 on the East Coast to \$950 on the West Coast; Continental flies nonstop from Newark every Saturday for around \$425 . . . Dutch is the official language, but English is spoken everywhere . . . Electricity is 110-130

volts, similar but not identical to the U.S. standard, so bring an adapter and a surge regulator for electronics . . . The nearest supermarket is 15 minutes away, but prices and offerings are better near Willemstad . . . Restaurants typically add a 10 percent service charge to the bill, while hotels add 12 percent . . . All West's Web Site: www.allwestcuracao.com

Cheng Ho, Raja Ampat, Indonesia

the diving is great, but the boat needs work

Dear Reader:

Raja Ampat, the "Four Kings" archipelago in Indonesia, is considered the epicenter of marine diversity -- 537 types of corals and nearly 900 fish species have been identified here. Many divers believe Raja Ampat has the best diving in the world. So the question is what boat to pick for diving? There used to be only two dive boats operating in Raja Ampat, now there are almost two dozen, most operating on a roundtrip itinerary from Sorong. I chose the Cheng Ho, Kararu Dive Voyages' newest and biggest vessel, because its 12-day Banda Sea itinerary went from Ambon to Sorong and included more remote dive sites. I booked with Kirsten Treais of dive travel agency Amazing Adventures Travel, who brought 18 other Americans along. Some of us had the same goal -- to see the ocean's deadliest critter, the blue ring octopus.

The 160-foot teak schooner, formerly a Bali-based party boat, offers wireless Internet, a 48-inch plasma TV and dozens of electronic surge strips for cameras, chargers, and computers. But the nine-year-old gal is not aging well, with multiple cracks and holes that need to be plugged. Following a typical afternoon squall, ceiling leaks mysteriously appeared everywhere, even the lower deck. Some divers had to evacuate their cabins one night when leaks dripped over their beds. Hergen Spalink, one of the four American divemasters, advised us to keep anything electronic covered. "At least those leaks are not from the hull," he offered as a joke. Anything stored in in the middle of the large salon, considered a "dry" area, was always kept covered.

First stop was Laha Bay, a harbor that also serves as Ambon City's garbage dump, for some muck diving. While I've explored plenty of underwater landfills, the amount of floating surface garbage was disgusting. I tried not to swallow any water and focused on the amazing variety of critters. Two five-inch Pfeffer's Flamboyant cuttlefish were doing their mating dance, while intertwined snowflake eels only had their yellow eyes on each other. Poking around in the nook of a boulder, I found a nest of transparent juvenile flounder. Colorful mandarin fish swam in the open instead of waiting for



their dusk mating ritual. The visual overload included waspfish, leaf scorpionfish, leafy-gilled sea moths cruising the sandy bottom, and frog fish as large as soccer balls. Divemaster Kerri Bingham spent an hour looking for a recently discovered and yet unnamed species of frog fish, pink with green eyes. When she asked local divers if they had seen it, they sheepishly removed boulders where they had "hidden" the rare species by blocking its movements. Critter spotting was as good as in renowned Lembah Strait, with visibility averaging 60 feet and water temperature a tepid 84 degrees.

Aside from the leaks, I still wouldn't recommend the Cheng Ho's cabins for comfort. My salon-level cabin was spacious, but other than having three windows, it just didn't work. The desk and chair were blasted by the A/C unit opposite. Bunks are only for the strong and agile -- the top bunk was two feet from the ceiling, with the ladder three feet off the floor. I took the bottom mattress, which was on the floor and still not easy to get off of without hitting my back or head on the top bunk. The view from my airline-sized bathroom window was the crew's kitchen, so they could see me reach behind the shower curtain for toilet paper. A shutter-like door to crew quarters banged my cabin every time someone went forward or aft. Finally after many nights being awakened at 4 a.m., I complained and found I was not the first. As for routine sightings of roaches and beetles, it's not uncommon in the tropics. At least my ceiling was covered with plastic and cloth, which prevented rain from seeping into my room, unlike those on the lower deck.

Even though they shrugged off cabin discomfort, the 22-person crew was friendly and service-oriented when it came to diving. Every time I went up the gangplank from the tender after a dive, I was greeted by some hooting and hollering crew with a high-five and "nice dive." Kerri, Hergen's partner, and Kristine were excellent critter spotters. Videographer Steve Fish was happy to point out critters.

Divers were assigned to either the one metal or two fiberglass tenders, which had two rubber-lined benches and sturdy but short, narrow exit ladders. We simultaneously backrolled on a 1-2-3 count for an immediate descent. My only gear responsibility was to wear my weight belt and mask to the boat. I could put on my tank in the tender and take it off in the water. No requirements for dive time or buddy system.

The Cheng Ho's dive deck on the bow was covered in rubber matting, and lined with aluminum 80 tank holders and sit-on bins for gear. With 20 divers gearing up at once, it got cramped but with three tenders, we tried to dress at varying times. Three tubs for cameras, masks and wet suits were changed daily, and there was a "wet" table for camera gear and hangers for dry suits. There were two deck showers, but only enough pressure to use one at a time, and the only toilets were in the cabins.

Nitrox was used by almost everyone for an additional -- and steep -- \$200. Divers were tracked by whether their tank was in the water or holder, and anyone not going on a dive was to cross their name off the tender list. Adom, the tank filler, always brought me a sheet to sign off for percentages (although an analyzer was available), and he was consistently between 31.5+ and 32 percent. Briefings were accurate as to the terrain and potential critters, but the current was too squirrely to predict. Air and water temperatures were in the 80s, so divers wore skins or 1- to 3-mil suits.

After three days of clear-water diving at channel and wall sites down to 100 feet, we went



The Cheng Ho

to Misool's Mylangkawi Blue Water Mangroves, saltwater channels meandering through four black mangrove-edged atolls. Down at 10 feet, mangrove roots supported large plumes of soft coral, with inhabitants like Palau-sized tridacna clams, shy tomato anemone clownfish, pygmy sea horses camouflaged in pink fans, gold-speckled jawfish and a tasseled wobbegong shark slumbering in the sand. The archer fish, which prey on insects by spitting at them, schooled on the surface.

My days began around 6:30 a.m. with croissants or toast, tea, coffee, and fresh fruit and cereal, with a full breakfast after the morning dive at 8 a.m. Lunch was buffet-style in the salon but if the boat wasn't under way, dinner was served outside on the upper deck. Each meal featured a different ethnic dish: Indonesian, Western, Japanese, Chinese, or Indian. While food was plentiful, the presentation and flavor were ordinary, and the repetitious rice and noodles got to me after a few days. Sodas were complimentary, beers were \$2 but wine was only available by the bottle at \$18.

Night diving produced the most interesting critters. At Jef Vam, a village of 25 families, I dived the pier to see robust pipe fish, cowries, hermit crabs, and juvenile lionfish. A rare mimic octopus contorted its body, changed color and playacted as a sea snake. Another night near the pearl farm at Waigeo's Aluji Bay, I came upon crocodile fish, a red spider crab and signal gobies coming out from the shadows.

While I packed in three day dives and a night dive whenever possible, part of the fun was the non-diving activities. At Waigeo's Aluji Bay, I visited the Atlas South Sea pearl farm, which cultivates 200,000 pearls annually, some as large as 20 millimeters. And one evening, fun-loving Kirsten insisted everyone wear a sarong to a cocktail beach party. With the rum pouring freely, along with beer and wine, several divers lost whatever inhibitions they had left and plunged into the water.

Heading to Sorong, we spent a day near the island of Kri and its underwater seamount, Sardine Reef. Hergen passed out reef hooks, twice the size of those used in Palau, because it was easy to be swept over the seamount if your descent wasn't fast

Raja Ampat Liveaboard Update

As our writer noted, liveaboards sailing Raja Ampat have mushroomed from two to a dozen in just a few years. The numbers keep fluctuating as boats come and go.

These three liveaboards have received recent good reviews from *Undercurrent* readers (read their entire reviews, as well as other divers' reports, by logging on to "Instant Reader Reports" at www.undercurrent.org):

Seven Seas. This 20-diver boat started a year and a half ago; IMAX filmmaker Howard Hall has selected it as the base for the film project expedition he is doing this fall. "Dive crew and captain were outstanding," says Les Bates (Centennial, CO) who went in March. "My wife only snorkels and the cruise director made sure she was in great spots." Raja Ampat cruises go from October through February; a week-long cruise is \$382 per day (www.thesevenseas.net).

SMY Ondina. This boat is geared toward the camera-wielding. Deb Fugitt of City Seahorse regularly charts this boat for her photography seminars. It's also geared for more experienced divers as the boarding requirement is a minimum 50 dives. "Crew did all the hard work so we could use our energy for maximum diving enjoyment," says Paulino Gonzalez (New Port Richey, FL). Fugitt has 2009 trips in

April, May and November; the 11- and 12-night trip rates are \$3,755 and \$4,095 respectively (www.cityseahorse.com).

MV Pindito. The wooden yacht with 16 divers maximum was extensively refitted and furnished in 2006. Owner Edi Frommenweiler is a Raja Ampat diving pioneer. "I was able to dive with him and learned so much," says Kimberly Bayless (Coronado, CA) who went in January. "Food is unreal, all drinks except wine are included, and there is a personal masseuse on board." The 11-day cruises go from October through April and cost \$3,795 (www.pindito.com).

The newest addition. *Ocean Rover*, Fantasea Divers' boat currently cruising Thailand, arrives in North Sulawesi this month, and will cruise Raja Ampat from September to December. The 10- to 12-day cruises are \$4,700 to \$5,640 (www.ocean-rover.com).

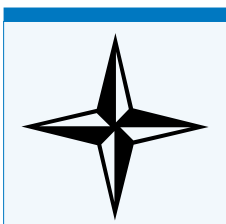
The MV Odyssea I is no more. Having just finished its Raja Ampat season, the motor cruiser had docked in Manado on May 11 when it got caught in a bad storm and was pushed on top of a reef, fatally damaging its hull. In a note on its website, Odyssea Divers said it was planning to help divers booked on the boat with "alternatives and assistance." For more details, e-mail info.desk@odysseaasia.com.

enough. I latched my hook onto dead coral to stay put in the current and watched schools of curious batfish, tuna, reef sharks and trevally parading by. As the afternoon current picked up, the scene turned into a food-chain feeding frenzy as sharks moved in to eat barracudas, who ate jacks, who ate the fusiliers, and on down the line. At Kri jetty, I achieved my goal of seeing not just one but two deadly blue-ringed octopus. The thumb-size critters flashed their blue spots at my flashlight so I finned back to avoid any deadly squirts of venom. What a thrill! It made dealing with some of the boat's dysfunction actually worthwhile.

Next time, I would pick another Raja Ampat boat. The Cheng Ho has friendly crew with excellent diving service, but the literal cracks on the surface prevent them from offering an excellent experience overall. For the amount of money they charge, you should only be getting soaked in the sea or the shower, not in bed.

-- M.S.

Cheng Ho, Raja Ampat	
Diving (<i>experienced</i>)	★★★★★
Diving (<i>beginners</i>)	★★★★
Snorkeling	★★
Accommodation	★★
Food	★★★
Service and Attitude	★★★★★
Money's Worth	★★★
★ = poor ★★★★★ = excellent	
<i>Worldwide Scale</i>	



Diver's Compass: Cheng Ho's per-person rates are \$325 to \$375 per night, single occupancy is an extra \$225; groups of 8 to 17 divers pay \$325 per night . . . Same-day laundry service was 50 cents to \$1.50 per item, and a massage therapist charges \$15 per hour . . . I took a comfortable flight on the Taiwanese airline EVA from LAX to Denpasar, Bali via Taipei, for a coach fare of \$1,500 . . . Kararu Dive Voyages arranges flights between Bali and Ambon or Sorong; for Sorong departures, an overnight stay is required in Makassar, Sulawesi, which Karuru arranged for me . . . I took Malarone for malaria with no side effects . . . Web sites -- Cheng Ho: www.kararu.com; Amazing Adventures Travel: www.amazingadventurestravel.com

Tipping on Dive Trips: Part II

how tips tie into the global economy

Last month, *Undercurrent* wrote about how our subscribers, quite a worldly group of divers, tip; how much and to whom. Many report being uncertain and even frustrated about how to handle this sensitive matter.

What Travel Agents and Dive Operators Suggest

We asked travel agencies what they advise their clients. It varies, as you can imagine. Teri Dold at Aqua Dreams Travel says land-based-divers should tip 10 percent, whether for a two-tank dive or a multi-day dive trip. "If they are really great,

then a 15 percent tip would be better." She doesn't recommend tipping dive crew individually. "Most divemasters share their tips with the crew."

Caradonna Dive Adventures, on the other hand, recommends \$10 per diver for each day they dive. Caradonna's Ann Louise Tuke says, "Your should check at the front desk or dive shop to find out how to handle tipping."

We also asked dozens of dive operators worldwide about their tipping policies. Of those who replied, they had one thing in common to say: Tipping is your choice and if you choose to

Top Wreck Dives of the World

Many divers aspire to the technical skills needed to dive shipwrecks. This book is geared toward getting those divers to stop saying “someday” and enroll in a wreck diver specialty course. Editor Jack Jackson gathered a group of wreck diving enthusiasts, including notables like Bob Halstead and Scottish diving pioneer Lawson Hood, to write about their favorite wreck dives. They’re grouped by the regional waters they lie in, from the major graveyards of Truk and Scapa Flow to overlooked wrecks in New Zealand and South Africa.



Florida Keys to history-rich boats like the *Lusitania* and the *Andrea Doria*. Each entry has a brief history of the ship’s background when it was above water, description of its current location, and tips of notable details to look out for.

One drawback of this book is its lack of photos – Truk Lagoon has dozens of wrecks to dive but only four photos are included in their writeups. Advanced wreck divers have read it all before -- and seen these sites personally -- but for aspiring wreck explorers who want to move from snorkeling far above wrecks to exploring them belowdecks, this book could be the kick in the pants you need. Hardcover, 12 x 11 inches, 160 pages, \$60 list price. Purchase this book at a discounted rate on our website at www.undercurrent.org, and proceeds from this – and all our other dive book picks – go to save the world’s coral reefs.

Jackson, a British dive guide writer and editor who ran a Red Sea dive boat for 12 years, starts the book with a brief introduction to wreck-diving safety, navigation and photography. Not every wreck in the world is listed – Jackson has picked the most interesting specimens, from shallow wrecks turned into artificial reefs like the *USS Spiegel Grove* in the

leave one, the amount is up to you. What wasn’t common was the suggested percentage for what makes a good tip. Mermaid Liveboards in Indonesia is happy with 5 to 10 percent of the liveboard’s full cost. Sam’s Tours in Palau recommended 10 percent of the dive bill, while Divetech in Grand Cayman said 15 percent, and Southern Cross Club on Little Cayman suggested 15 to 20 percent for their hotel/dive packages (notice how the closer the dive operation is to the U.S., the higher the suggested tip.)

Despite trying to stay impartial, a few dive operations wanted to explain why extra money was needed by employees to get by. “The staff very much needs tips to live on and supplement their salary,” said a general e-mail we received from Divetech. “They must also carry insurance, renew their instructor ratings each year and attend their training agencies’ annual updates.”

“Our crew support families, so they choose a life at sea partially due to the salary and tips they can earn onboard,” says Mermaid Liveboards’ operations manager Kay Golding. “Foreign dive crew have to get the necessary permits required to work outside of their home countries, so every bit helps.”

At the opposite end is Bill Tewes of Dive St. Vincent. “We don’t beg for tips, it lowers the class of our establishment. We just tell customers that staff makes living wages.”

Are Tips Split Fairly?

Many divers believe tips they give to the owner are split evenly among staff. That’s not always true. When we asked dive operations how tips are distributed, again it was all over the place, with no commonly shared practice. Some pool their tips,

others trust the owner to distribute fairly, a few set up funds, a few do something in between.

Chris Ferreira, Southern Cross Club’s general manager, says tips are pooled unless a guest specifies a divemaster by name. “If not, we split tips by how many hours each person worked that month.” Tewes of Dive St. Vincent says the ones “out front” who interact with divers get more as they’re the ones who make guests decide to tip. Sea Saba pools tips evenly among the all-instructor crew but a share of the monthly pool is split three ways for the behind-the-scenes staff.

On the Pacific side, Fiji liveboard *N’aila* says tips are evenly split, from captain to apprentice engineer. Mike Ball liveboards in Australia divide 90 percent of tips among crew while the remaining 10 percent goes into a social fund for throwing parties every few months for all staff. Sam’s Tours doesn’t have a tipping pool; general manager Dermot Keane says tips go to boat captains and guides. “They often share their tips with our compressor room, rental locker and shuttle service staff for assisting them, but that’s internal to the dive team.”

In the South Pacific, it’s common for dive boats and resorts to have tip boxes, one box for the dive crew and one for the rest, but the pooling strategy can be confusing – and possibly unfair. One reader remembers two boxes on Indonesian liveboard *Cheng Ho*, one for the four divemasters and one for non-diving crew – but the dive crew tips were split six ways. “Once for the two Indonesian dive guides, once each for the American divemaster couple, and once again for the American cruise-director couple. I’m not sure how many guests caught this, and it wasn’t fully explained.”

What Happens If You Miss the Boat?

Reader Marcia Seymour (Traverse City, MI) and two dive buddies were booked on Peter Hughes' *Wind Dancer* leaving from Grenada in January, but they didn't make it to the island in time. Their Air Jamaica flight landed unexpectedly in St. Lucia instead, and the last leg of the flight was cancelled due to too much crew time.

Seymour says she was unable to contact any of the Peter Hughes numbers from St. Lucia phones, but she got a message to the Grenada motel Peter Hughes used as a pickup. She told the operator they weren't going to get there in time, and the motel confirmed that the boat had received her message. "We did actually make it to Grenada but not until late the next day – well past the time the *Wind Dancer* left the dock. It was a \$5,000 prepaid trip."

But Seymour probably should have been more thorough in her communication and asked if the crew could help her meet the boat. "Even though she arrived too late, she still could have been picked up later," says Peter Hughes executive vice president Larry Speaker. "While Seymour did relay a message to the boat, it was only that she was not arriving."

For all trips, Peter Hughes publishes a planning guide with contact numbers for its local agents, and a U.S.-based emergency cell number carried by somebody on staff 24/7. "Had she phoned our emergency line or our Grenada agent, or even sent a message to us to call her back at her St. Lucia

hotel, we could have arranged a Monday embarkation from Carriacou or even a Tuesday or Wednesday arrival in Bequia," Speaker says.

Peter Hughes' policy is for divers delayed by only one day, all the liveboards can use alternative pick-up locations. For longer delays, it depends on the destination. "For the *Wind Dancer*, we can get divers to the vessel at any point during the trip and are happy to do so if they just contact us," says Speaker.

He says Peter Hughes' standard policy – cancellations inside of 60 days, including no-shows, are non-refundable – applies to Seymour's situation. Still, it wouldn't be a bad idea for boats to offer a partial credit for a future trip. With more airline delays and snarls than ever, trip delays and missed boats will probably be more common, so arriving at least 24 hours before the boat leaves is crucial, as is purchasing trip insurance.

Seymour unfortunately did not carry trip insurance. She asked Air Jamaica for restitution but only received three travel vouchers for \$200 to use within a year. That's probably the most a delayed passenger will get from any airline. They usually have no liability if safety, such as crew fatigue, is the issue. Airlines' fine print says that they'll find a way to get you to your destination shown on your ticket as soon as they can, but that's where their responsibility ends.

Not every dive operation is as persistent in asking for or collecting tips. On a recent dive trip to the Dominican Republic, Conrad Kantor (Westlake Village, CA) asked his divemaster how many divers tip. The answer – only 25 percent. "Considering the service provided and the safety issues where we depend on them to help us in an emergency, it's hard to understand how cheap some divers can be," says Kantor, who regularly tips 10 to 20 percent.

Americans Versus Everyone Else

Kantor's view is not shared by most of the world. Everyone knows Americans are the biggest tipplers. That puts U.S. divers in a dilemma overseas. Will you be taken advantage of by crews only being nice to get tips? Will European divers snub you for ruining Third World travel with your gratuitous money?

"I used to tip \$25 per person, per day, as a rule of thumb," says Mona Cousens (Santa Barbara, CA). But say you're with a boatload of Australians and you know they are not going to tip at all. I feel somewhat exploited because businesses expect more from us than from folks in non-tipping countries. But as Americans, we are going to tip something. It is just too much a part of our culture not to leave anything."

Dive operations know this – and admit it. "Yes, generally

Americans tip more than any other nationality," says Mike Ball. "Everyone knows Americans tip better than, say, Germans," says one Caribbean dive shop owner who prefers to stay anonymous. "But we treat all clients with the same high level of service, whether from California or Canada." Bill Tewes agrees. "The English don't tip at all but they get the same good service for nothing – and they usually want more services."

But many dive operations take advantage of Americans. Some Brits have told me there's no tipping on Red Sea boats because most divers are European. Some resorts in Papua New Guinea have different booking policies for Americans, often marking prices up by 30 percent compared to other divers.

Randy Preissig (San Antonio, TX) was on Palau liveboard *Sun Dancer* with a group of Europeans and Americans when crew announced tips could be put on credit cards. "Some of the Europeans were outraged and insisted this was a hidden increase in trip cost. One of the European crew took them aside and said not to worry, that the tipping pitch was 'just for the Americans.' I have also been told by dive crew elsewhere that they like getting more Americans, as this means more tips."

For this, Americans get bashed by divers in the rest of the world. "Tipping is all but unknown amongst European divers

and is grudgingly observed only in places with North American majorities,” says British reader Richard Connell (Devon, England). The tipping culture is resented and often used as just another reason to ‘hate’ Americans.”

The Canadian view, according to Dwight Chornook (Ottawa, ON): “Tipping for salary seems to be an American way of having people work for no money.”

“On most British dive boats, and even in the Red Sea, most divers don’t tip at all unless the service has been exceptional – maybe 25 Euros or US\$40, and dive staff would not expect a tip,” says Neil Stead (London, England). “We find it difficult to understand the American mentality that you have to tip 10 percent even if service was awful.”

Unfortunately, the American style of tipping is spreading further afield. Places that see a lot of American customers are now demanding a 10 to 15 percent tip, whereas before they would have regarded 5 percent as an unexpected bonus.

Service Charges on Cruises

So what can Americans do? Some *Undercurrent* readers questioned why tips couldn’t be included as a service charge, as many European restaurants do. “If the tip was included, then I wouldn’t have to stress about it,” says Kathryn Mitchell (Lafayette Hill, PA). “I almost always tip 15 percent, but I think it would fairer if everyone paid this up front,” says Preissig. “I hear this is becoming the standard on several cruise lines.”

Yes it is, according to Linda Garrison, the Cruise Guide writer for About.com. “Most cruise lines have an established policy of turning tips into service charges, saying, ‘As a convenience to you, we’ve added it to your bill.’” The average charge is \$10 to \$15 per person, per day. Most cruise lines give it to the service staff in housecleaning and food service (officers and the captain are excluded). For example, Carnival Cruises charges \$10 per person daily – \$3.50 goes to the cabin cleaners, \$5.50 goes to the dining room staff, and \$1 goes to kitchen and other service staff.

So compare a 10-day trip for two people on a cruise versus a liveaboard. A cruise’s daily service charge of \$10 per person would amount to \$200 by trip’s end. For a liveaboard that charged \$3,000 per person, a 15 percent tip would be \$450 per person, totaling \$900 for two people. That’s a hefty difference.

But cruises do add on extra charges, such as tips for drinks at the bar – Carnival automatically adds 15 percent to the bill as tips for bartenders and support staff. It says tipping to room service staff and the restaurant maitre d’ is at your discretion.

“Passengers can ask for the service charge to be taken off their bill, but I recommend considering it as part of the fare, unless the service was terrible,” says Garrison.

The tipping/service policy is spreading to European cruises too, she adds. “I was recently on a French and a German ship, and both encouraged to tip. In fact, the only non-American server who refused my tip was a bellhop in

Japan who schlepped eight bags to my room. He said flatly, ‘I don’t accept tips.’”

Tipping in the Third World

While some dive destinations like Fiji and the Maldives are known to actively discourage tipping, other countries don’t mind if you do. But there are no clear guidelines.

“I was in Thailand, where I had heard that they don’t tip but later found out from a guide that tourists were expected to provide ‘a little money,’” says Mary Caton. “Because of my culture and experience, I almost feel guilty not providing a reasonable tip, but I wish I had better guidelines as to what that is.”

Jerry Hobart (Ransomville, NY) was on the Maldives boat *Baani Explorer* in January. Typical divers are European, and crew said they’ve only had a handful of Americans in the last three years. “They’re not used to American tipping, so \$2 to \$5 goes a long way.”

That’s something to keep in mind when you consider how to tip while diving in non-Western countries. Say you tip 15 percent on a Palau liveaboard costing \$3,000. If ten passengers tip that, the total tip is \$4,500. Divided among a crew of eight, that’s \$562 per person. That could be ten times the average daily wage of a middle-class worker in the South Pacific.

There is no tipping in Southeast Asia, says Marc Hansen (Menlo Park, CA), who lived and dived in the area. “Only certain businesses like dive boats catering to Westerners encourage it. Hotel porters and waiters do not expect anything, least

Look Before You Leap

Some basic boat diving rules bear repeating over and over. One of them is to check the water before you jump into it, especially if another diver went in first. Subscriber Donald Rowe (Glendora, CA) was reminded of this the hard way.

“On a recent liveaboard trip in the Maldives, the dive-masters urged all 16 divers on one dive to get in the water as close together as possible to avoid spreading out due to the current. As the divemasters called out, ‘Go go, go,’ I entered the water and had descended three feet, when I felt a major blow to my hood-covered head. A very large diver had landed right on top of me. I noted a lump was already forming but otherwise I didn’t feel seriously affected, so I continued the dive. But on surfacing and waiting for pickup, other divers noted blood seeping from my hood. When I removed it, I found a very large cut which later took 16 stitches to close.

“Luckily, an oral surgeon was on board, and he stitched me up and medicated the cut for several days. But this could have easily been avoided by the errant diver taking a quick check of the ocean before leaping in.”

of all a percentage. If I spend \$100 on dinner in Jakarta, my Indonesian wife thinks a tip larger than \$2 is too much.”

It’s helpful to understand the compensation there, says Hansen. “The dive manager, probably a Westerner, is earning several thousand dollars. The English-speaking Indonesian dive guide, maybe \$500 per month. The remaining crew is probably earning less than \$50 per month and very happy to have the job. For this lower class of worker, a small tip for good service is not unusual but not required. An educated Indonesian local might think a tip of \$2 per day for a crew of 25 to split is generous, while a divemaster has most likely learned the Western tipping philosophy. Even then, they know Americans tip much larger than Europeans, like double or triple.”

As for the tip boxes, Hansen believes they’re separated because crew expects tips for divemasters to be “Western standard” and tips for the crew to be “Southeast Asian standard”. “In developing nations, I consider the compensation of the person, and tip as a percentage of their compensation for the time they helped me, adjusting it based on performance.” For an excellent divemaster, he tips at least as much as they are paid for the same number of days, around \$20 per day, while an average divemaster would get 20 percent of what he is paid, or \$4. “For a good crew, I pay \$1 to \$2 per day for everyone.”

But Keane of Sam’s Tours says the disparity between a 15 percent tip and the daily wage is not out of line. “The typical wage for our local boat captains is \$55 to \$70 per day, based on seniority, and divemasters get \$50 to \$75. Five days of two-tank diving costs \$600, so a 15 percent tip of \$90 divided between driver and guide is in line with their daily wage.” Perhaps, but if there are six people on the boat, multiply this by six.

Gabrielle Villarino, who has worked on many Indonesian liveboards and is now at Max Ammer’s Sorido Bay resort, says Indonesian operators requesting tips of 10 percent or more of the trip price are asking too much. “Tip an average of 5 percent and only give more if you absolutely feel they deserved it.”

Some Fiji dive operations have sidestepped the tipping issue by establishing special funds for divers to donate to, although

they didn’t specify if it was split evenly. The Wananavu Beach Resort puts guests’ tips into a Christmas fund that all resort staff share at year’s end. On crew’s request, the *Nai’a* puts a pre-determined amount of all tips in an interest-bearing account for Christmas distribution, in time for school fees in January. Owner Rob Barrel says the fund is also used to make interest-free loans to crew for everything from funeral costs to night-school tuition. “They don’t have to buy their own dive gear as we provide it for them. Ditto medical care.”

“In Fiji, crew tipped individually don’t share their tips with the rest, so our solution is to ask guests to not tip direct and instead make a small donation to the staff fund and the school fund,” says Dive Kadavu manager Cameron Forster. “This way we can distribute funds evenly among staff, based on consultation with the village elders and the position they hold. With the school fund, we’ve put desks and chairs into classrooms, provided teacher aides and even purchased some computers. Our company matches guests’ dollars, and we have students who completed high school who wouldn’t have been able to afford it without the fund.”

Rethinking Tips During Recession

Still, like some of their counterparts in the U.S. and the Caribbean, divemasters in less-rich countries are expecting to get First World tips. “I usually tip my dive guide in any Asian country \$50, but then I found that those on the *Thorfinn* in Truk expected nothing short of \$100 – and that was way back in 2000,” says Helga Cookson (Brussels, Belgium). “More dive crew spoiled by American divers.”

Now with prices rising dramatically while the U.S. dollar falls through the floor, a traveling American diver may think more carefully about the amount of his tip. Reader Dave Bader (Norwood, NC) sums it up: “Increased costs shouldn’t necessarily be translated into increased tips. Diving professionals and boat crew work hard and deserve a reasonable tip, but divers need to reevaluate how they tip and base the amounts solely on the services provided, not the charter cost.”

-Ben Davison

Want to Sue That Dive Shop? Good Luck

nine reasons why dive businesses win in court

After 30 years of diving litigation, and reviewing several hundred dive incidents that wound up in litigation, it’s unfortunate that the same basic problems keep recurring. It’s the cavalier diver thinking everything is going to work in his favor who is usually found on the victim line in the incident report, or listed as a defendant in a lawsuit. Here are nine reasons why they end up there.

Reason #9: Your Dive Gear Does Work

If you have an equipment malfunction, chances are remote that you’ll be able to prosecute a claim against the manufacturer. Dive equipment is now more reliable, and records kept during the manufacturing process are detailed and thorough. The rare product problem almost always leads to an immediate recall and industry notification.

More likely is that a dive shop may have made an improper repair or that parts that were replaced were not from the original manufacturer. That too is becoming rare as dive stores realize that they, also, are in the firing line.

I have investigated hundreds of product liability incidents, and most go back to the divers themselves. They have not bothered having their equipment serviced by a professional. Or, they, themselves, serviced it improperly. Or they didn't know how to use the product in the first place. Dive shops have become more thorough when renting equipment, requiring divers to sign a release saying they have inspected and tested the equipment and found it to be in good working order. That usually forestalls any potential litigation.

Reason #8: Technical Diving Can Be Deadly

Technical diving is the least forgiving part of diving. What might be a minor inconvenience at 40 feet on scuba is a life-threatening crisis in a wreck or on a rebreather. Instruction, continuing education and preparation need to be taken with the same seriousness as that of a fighter pilot. The risk-reward ratio must be carefully and constantly evaluated. I remember being on a dive past 200 feet, looking into the abyss to see a very large animal, and wondering, "I have three little kids – what the hell am I doing here?" If you're going to get into technical diving, give it 100 percent attention and concentration.

Also, dive shops are using highly detailed tech diving-specific waivers. Few suits arise from technical training because it is so obviously hazardous (and the number of divers doing it is quite small).

Reason #7: The Doctor Is Not Your Friend

Jurors love doctors so unless there's an egregious and obvious medical malpractice, a judgment call by a doctor will probably be accepted, perhaps by saying that the diver did not fully disclose potential problems he might worsen by scuba diving.

If you're involved in a dive accident and seeking medical advice, you must tell them absolutely everything about your condition. Embarrassment and the possibility of high medical bills should not be a concern. Few physicians are skilled in hyperbaric or diving medicine, so getting advice from someone who knows what they're doing is critical. If you wind up in litigation against a doctor who mistakenly approved you as fit for diving or recommended improper treatment, the odds will be weighed against you, not the medical professional. It's not that it is fair. It's just the way it is.

Reason #6: "A Diver Short, You'll Be In Court"

This advice goes not only to dive boat operators but to anyone who uses his own recreational vessel for diving or even acts as a tour leader for friends.

I tell dive shop owners that their part-time employees set up as "independent contractors" keep that status until they have an accident on the job, then they turn into employees with all of the rights and recoveries. Your friends who came aboard your

A Brief History of the Wetsuit

In the early part of World War II, Dr. Hugh Bradner, a University of California physicist who helped develop the atomic bomb, talked to Navy frogmen about the problems of being immersed in cold water for long periods of time. "He was looking at the radical notion that you didn't have to stay dry to stay warm," his daughter Bari Cornet told the *San Francisco Chronicle*.

In 1951, experimenting with neoprene in the basement of his home in Berkeley, CA, he discovered that a layer of neoprene would trap heat between it and the body, and the water would heat up to body temperature, keeping one warm. Dr. Bradner, himself a diver, and a few of his colleagues created a small company to market the "EDCO Sub-Mariner" suit, "\$45 for the short version and \$75 for the full suit," as an ad in a 1954 edition of *Skin Diver* magazine put it.

He never patented the invention and the wetsuit business venture foundered, but plenty of people in the diving and surfing business have made small fortunes from Bradner's invention. He died on May 5 at the age of 92.

boat will somehow remember they had paid you for gasoline so have the rights of paying passengers.

Fortunately, and despite the film *Open Water*, instances of divers being left behind have become rarer. Most liveaboards operating in remote areas not only make sure divers are outfitted with the safety sausages, horns and other signaling devices, but also with location finders that can be tracked from the mother ship. Instances of lost divers are more likely attributable to incompetent or poorly equipped dive operators in Third World countries, where either the single engine fails or the radios do not work. Usually, divers who have problems with Third World dive operators sue the people in the U.S. who sent them there, because bringing lawsuits overseas is very problematic.

Reason #5: It Doesn't Matter Which Dive Agency Standards You Don't Follow

When you get DCS, it doesn't matter which set of tables you didn't follow. I once advised instructors that they were on solid ground if they stuck to the rules of their training agency, but recently I've been involved in cases in which the standards themselves played a large role in the accident. In one case, while following the exact standards for an introductory course, a dive instructor took part of his group through a short underwater lava tube while allowing another diver to swim over the top. That student became more buoyant as he breathed down his air. He had specifically been trained not to touch his BCD controls (again, according to that agency's standards) and as the instructor raced to prevent an uncontrolled ascent, both he

Divers Saved After 40 Hours at Sea

While diving the Banshee Channel in southern Taiwan on April 26, eight Chinese divers were reported missing when the boat skipper couldn't locate them and returned to port. The six men and two women were being carried by a current opposite of their intended direction, so they surfaced 20 minutes after they began the dive, but were too far away to alert the boat. A hunt was launched but after 30 hours at sea with no rescue, the divers separated into two groups, one to swim to land while the other would wait it out.

Ding Bo-Ling, a 32-year-old dive instructor, swam 10 hours until he hit shore Sunday night, nearly 50 miles from the original dive site. With Ding's help, rescuers found five divers, clicking their underwater cameras' flashes to get attention, at dawn, then found the remaining two later that morning.

and the student were struck by a boat and seriously injured. A recent settlement conference failed, and the suit will be brought to trial soon.

In another case, I represented the widow of an inexperienced diver for whom a dive instructor acted as buddy when the original buddy decided not to dive. The instructor led him into a thick kelp bed, then went out alone on the other side. The inexperienced diver drowned after surfacing, probably having suffered a gas embolism then going face-down into the water with his buddy nowhere around. The standards for both buddy behavior and the lost buddy drill had been completely ignored by the dive instructor, leading to a settlement just before trial. If it was an experienced diver as opposed to an instructor the case would be significantly weaker, but possibly still a winner given the clear breach of a duty voluntarily agreed to by both parties.

Reason #4: The "Sacramento Syndrome"

In a lawsuit involving divers in training, a surviving student testified that the instructor had checked out the bad conditions and then said, "We drove all the way from Sacramento, so we're going diving," with the result being the death of a dive student based on the poor judgment call. This rule can translate to individual divers themselves, as it is the basic rule of technical diving: Any diver can turn away from any dive at any time for any reason. If you have any apprehension or discomfort regarding your ability to complete a dive, don't do it.

Reason #3: S**t Happens – But Don't Tell Anyone

President Calvin Coolidge once said that you generally don't get in trouble for what you didn't say. This advice not only applies to dive instructors, who may want to seem authori-

tative while talking about an accident when they really don't have all the facts, but also to divers themselves, who may have been involved in an incident but also aren't aware of everything that was going on.

An attorney should discuss the case with you prior to any interview and participate in it if possible, even if by telephone. If the interviewer doesn't tape-record the interview, you should do so yourself, so a My Cousin Vinny moment doesn't occur. In that film, the sheriff asked the defendant, "Where were you standing when you shot the clerk?" His incredulous reply, clueless that the clerk had been shot, was, "I shot the clerk?" When the sheriff testified in court about what the defendant had said, he stated in a deadpan manner, "The defendant said, 'I shot the clerk,'" with no reference to the inflection indicating it was a question and not a statement.

Lawsuits are best prosecuted in the courts and not in the media. I can recall instances when a diver had given information about an accident that went far beyond reality, and when that came up in court, ultimately he looked like a liar about everything he said. I keep a blowup of a jury instruction that states, "A witness false in one part of his testimony is to be distrusted in others. You may reject the entire testimony of a witness who willfully has testified falsely on a material point, unless, from all the evidence, you believe that the probability of truth favors his testimony in other particulars."

Reason #2: A Release Is More Than The Paper It's Printed On

The more hazardous the diving, the more thorough the release and the more effective it is at absolving the dive professional from even obvious negligent behavior. So a diver who signs the release should read it thoroughly and understand what he is releasing. The dive professional must provide the release to the participant when he still has the time to withdraw, ensure that it's filled out completely and kept in a safe place. In a recent case in Florida, which has a strong release law, a woman being instructed one-on-one in an open water class was lost by her instructor during a thunderstorm. After she was found dead on the bottom, a suit was filed but was decided in favor of the defendant dive instructor based exclusively on the release she had signed. It may not seem fair but it is the law, and the underlying rationale is that for high-risk sports to even exist, a release of liability in favor of instructors, even when they make mistakes, needs to be in place.

Reason #1: If You Lie, It Will Be Found Out

The hardest thing to deal with in dive litigation is an untruthful client. While the basis for lies can range from stupidity to arrogance to greed, when the lie is discovered, whatever merits there were go out the window.

In a California case my office handled years ago, a physician had claimed that his BCD power inflator had failed, causing him to make a rapid ascent and suffer from severe brain damage as a result. Even his psychiatrist testified that his mind had been destroyed, evidenced by various tests. He even had

his sweater inside-out when he showed up for an appointment. The plaintiff testified that his practice had been ruined because his mind was gone, and he was on disability. However, investigation showed that rather than retire, he was actually on staff at another hospital. Furthermore, after the accident, he had served as an expert witness, criticizing another doctor based upon a technical evaluation of medical records. Ultimately, the jury ruled against him, and his disability insurance carrier sued him for all payments he had received.

If someone is lying about the circumstances of an accident, it is better to know up front and to try to settle the case then

to get a nasty surprise at trial. Conversely, a plaintiff whose lies are exposed not only has to spend the time and energy on a trial, but winds up owing thousands of dollars in costs to the other side. Tell the truth at the front end. If it's to your attorney, it's completely privileged and at least you will know whether you have a realistic claim that can be defended.

Attorney Rick Lesser of Lesser & Associates (www.divelaw.com) presents his "Risk Management" seminar every year at the Dive Equipment and Marketing Association show. He has been counsel in hundreds of dive-related suits in his 30 years of practice.

Sleek BCDs from Mares and Halcyon

one is a clear winner for the traveling diver

I like to dive with sleek equipment. I don't enjoy pushing bulky items through the water or carrying them through airports. Two simple wing-style BCDs look like they might qualify for minimal-style diving.

The Italian-made Pegasus is a new lightweight BCD from Mares (www.mares.com) that employs a single-bag construction buoyancy cell and the Mares integrated-weight system. It employs a conventional harness and double crotch-straps, which I found superfluous when using a single tank. It has a broad waist strap that is supplemented by a sternum strap that was handy for tucking my corrugated hose neatly under. Hidden elastic straps restrain the wings. The whole effect is of a lightweight yet sturdy item.



Halcyon Eclipse

With Mares using modern technopolymers for fittings while Halcyon sticks with solid stainless-steel, the most obvious difference between the two is in terms of weight. With the Mares weighing a tad more than seven pounds, I doubt if you will see many divers checking in at any airport with the nearly 12-pound Eclipse unless they wear it!

The American-made Halcyon Eclipse (www.halcyon.net) has lots of shiny bits that seem attractive to younger divers. The buoyancy wing is of double-bag construction. The harness is a single continuous piece of webbing without breaks for buckles and it must be adjusted before entering the water. There are a heavyweight stainless-steel buckle and a broad webbing jockstrap.

Efficiency and Comfort

The Pegasus integrated-weight system is quite capable of taking up to 14 pounds on each side without fear of losing anything. You can attach weight pouches to the waist strap of the Eclipse and add trim-weight pockets to the cambands (an extra cost option). While you can fit a specially shaped weight within the two parts of the stainless-steel single-tank adaptor, it's not something a traveling diver would find convenient.



Mares Pegasus

Both are equally comfortable. In the water, they worked just as they should, but from time to time I was left groping for the rather short and wayward hose of the direct-feed control of the Eclipse. The integrated-weight system of the Pegasus was sublime too, though I need 26 pounds in the Red Sea in mid-winter, whereas I had that weight on a separate belt with the Eclipse. Overall, I felt much neater in the water with the Pegasus.

Control of Ascent

The Pegasus offers three ways to dump air. You can pull on the hose to operate its top dump or you can tug at the toggle at the opposite shoulder to operate a valve that tends to be slightly more down the back than on top of the right shoulder. The other way is to lie slightly bottom-up and release air through the bottom dump, also located by its large toggle. Air tends to migrate to the top, which makes getting rid of it very efficient.

The manufacturer of the Eclipse expects you to ascend while horizontal in the water and provides only the lower dump valve at the back, so you have to be circumspect about getting that last bit of air out, or else you'll need to dive over-weighted.

Both wings leave the bottom dump valve facing downward unless you are horizontal but lying face up. Of course, you can always dump air with both of them through the corrugated hose and the oral inflation valve, but that does tend to fill the wing with water.

Surface Support

The Pegasus wins the battle when it comes to the maximum buoyancy available (45 pounds; it both expands as it inflates and is positioned low down in the water and therefore contributes more to lift). The Eclipse has a big doughnut-shaped buoyancy cell weighing 40 pounds; once you break the surface, a lot of it rises clear of the water and applies a down-force by the effect of its weight rather than an up-force because of the water it displaces.

Wearing and Removal

With the Pegasus, it was easy to unfasten the waist strap (not forgetting the double crotch straps too if you use them) and one shoulder strap so that I could swing it off the opposite shoulder. The Eclipse has a one-piece continuous webbing harness that is difficult to get out of while still in the water. Once I'd undone the waist strap buckle and crotch strap, I needed to drop down under the water and somehow duck out of it. A bulky computer on the wrist could make it quite difficult, and I needed to use an excessive amount of adrenalin each time.

When one takes into consideration both the difference in purchase price – the Eclipse is a whopping \$695, while the Pegasus is \$450. Add on the additional five pounds of checked-baggage allowance taken up by the Eclipse, and the Mares Pegasus becomes a clear winner for single-tank diving.

John Bantin is the technical editor for DIVER magazine in the United Kingdom and a professional underwater photographer.

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