

# undercurrent

*The Private, Exclusive Guide for Serious Divers*

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## Fish 'n Fins and *Ocean Hunter II*, Palau

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## *where's the best diving, by land or by sea?*

Dear Fellow Diver:

While it's a very long haul, Palau has some of the best diving in the world. I had been there four times already, always land-based and day-boat diving with Fish n' Fins (FNF), and I saw sharks and pelagics on nearly every dive. But would I have better diving aboard one of their three liveaboards? I decided to find out last February, spending the first few days on Fish 'n Fins' day boats out of Koror, followed by a week on board its Ocean Hunter II.

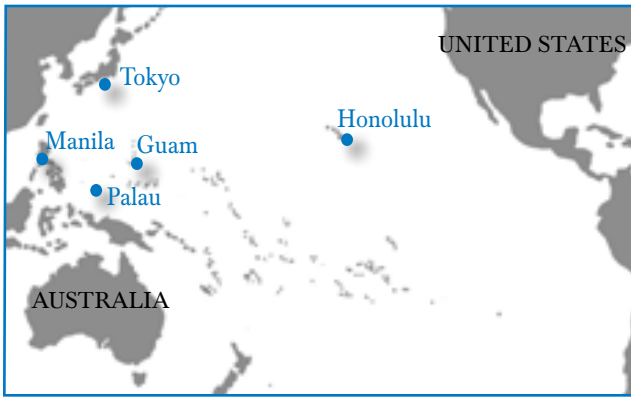
I was concerned that global warming, which had already bleached some reefs, would mean deteriorating coral and fewer fish. Turns out I didn't have to worry -- Palau diving was just as good as, if not better than, before. But I did have issues with FNF's liveaboard and land-based diving itineraries. As the Ocean Hunter motored time after time to reefs I had just visited during my land-based leg, I kept asking myself, "Did I really need to pay more money to do the same dives?" It felt like we were just following in the wake of the speedboats coming from the dive shop.

The best of Palau diving is highlighted by a site like Peleliu Cut, where I hooked myself into the top of the reef and watched two white-tip sharks patrolling with a large grouper. In a blink of my eye, the sharks raced several hundred yards down the wall, disappearing around the corner. Hundreds of surgeonfish, snappers and jacks thronged together. Sharks and big pelagics appeared en masse on every dive, but never once did I feel like it was just a "so what" moment.

But getting in three dives a day like



*Ocean Hunter II*



this was difficult. Contrary to most shore-based dive destinations, Palau's big dives can take up to an hour to reach -- those along the outer edge of the Rock Islands are as far as 35 miles offshore. FNF's boats carry up to 16 divers and transporting three tanks for each of them was a load. For most divers, two dives were enough and many certainly weren't interested in going out that far for a third dive. My two dive buddies and I made sure to get in a third dive, but it was after those who weren't interested got off at the dock, and the rest of us went to sites closer to Koror. Chandelier Cave is a standout, and there are a few WWII wrecks covered in reef fishes, but they lack the big fish and action I come to Palau for.

When I first arrived at Fish 'n Fins, FNF owners Tova and Navot Bornovski gave me a hearty "welcome back!" and handed me a personalized sport bottle to fill up with dockside tea and water, and keep as a souvenir. They hire and train locals as boat captains and divemasters, who do a superb job. Thrown in the mix are friendly and attentive expat dive guides. You're usually assigned to a guide for your entire stay but sometimes you get one who knows his or her dive sites, sometimes you don't. I was assigned to Steve, a congenial Englishman who had been in Palau for a year. He gave informative detailed briefings about topography, possible fish sightings and the necessary info about safety stops and reboarding. The six shore-diving boats range from 29-footers with dual 150 HP engines to 35 feet with 225 HP four-stroke engines. All are fast, stable, and open-air with a roof cover. The comfortable, cushioned seats opened up to store gear below. Where to put cameras was a quandary because there are no assigned rinse tanks but crew put in a five-gallon bucket just for me. The ladder was so easy to climb that I could get in the boat with my tank still on my back, but the crew was right there for others to hand up their gear.

The boat left the dock around 8:30 a.m., often making pickups at other locations, and arrived at the first dive site at 10 a.m. After an hour, we took surface breaks on glistening white beaches for delicious lunches of fried fish, steamed chicken or pork, and fresh fruit in bento boxes. I started my second dive at 1:30, grumbling because I knew we had to head back for a third dive closer to town, and was back at the dive shop at 3:30, finishing the third dive at 5:30. It would have been possible to start earlier if there weren't so many diver pickups along the way.

One day, after a first tank at Siaes Corner, I asked Steve to make the next one at Ulong Channel. We back-rolled in, dropping 60 feet into a wide bowl where the incoming tide rushed through a small opening into the channel. Ulong is a shark-hunting area, and a mix of eight-foot white-tips and grey-tips patrolled the opening, some coming

## Fish n' Fins Dive Shop, Palau

Diving ( <i>experienced</i> )	★★★★★
Diving ( <i>beginners</i> )	★★★
Snorkeling ( <i>advanced only because of currents</i> )	★★★★★
Accommodations ( <i>West Plaza Desekel</i> )	★★★
Restaurant Food	★★★★
Service and Attitude	★★★★
Money's Worth	★★★★ 1/2

## Ocean Hunter II, Palau

Diving ( <i>experienced</i> )	★★★★★
Diving ( <i>beginners</i> )	★★★
Snorkeling ( <i>advanced only because of currents</i> )	★★★★★
Accommodations	★★★
Food	★★★★
Service and Attitude	★★★★
Money's Worth	★★★★1/2

★ = poor      ★★★★★ = excellent  
World Scale

## Ocean Hunter's Special Trips

Our writer says *Ocean Hunter* is worth the money for special trips to Palau sites that Fish n' Fins' day boats can't reach. But is the diving any better at those sites than those closer to FNF's home base of Koror? Alan Dean Foster, a longtime *Undercurrent* correspondent, weighed in after a two-week trip aboard *Ocean Hunter II* last January. He was aboard a trip led by a German dive operator to the northern regions of Palau including the Kayangel Islands, the Ngulu Islands, Ulithi Atoll and Fais island.

"Unfortunately, the weather throughout was atypically rough and diving was, with one exception, ordinary. The Kayangel Islands' governor had a contract with a Hong Kong company to catch and ship live fish every three months. The result: In two days of diving on perfectly healthy reefs, we saw no fish longer than a foot. No snapper, trevally, grouper, cod, barracuda, sweetlips, parrotfish...nothing. Fortunately, the Palauan government has since terminated the arrangement. Ngulu, with only 12 people living there, had healthy reefs and good manta and turtle populations. Because of the weather, we could only dive inside the reef line, so little chance to see pelagics.

"Ulithi Atoll was magical. Diving outside the southern end, we encountered feeding mantas, who ignored us. We were the first group of recreational divers I'm aware of to dive the wreck of the U.S.S. Mississenewa, a 563-foot oil tanker that was the only ship to be sunk in WWII by a kamikaze torpedo. The wreck lies inside the lagoon at 100 feet and is broken in half. Unfortunately, it's upside down but the propellers are impressive.

"Fais is known as the Island of the Sharks. Guess what? Barracuda and other predators, but no sharks. Not one. We were told the sharks are more prevalent on the unprotected, swell-hit side of the island, but we couldn't dive there because of the conditions. Interesting, isolated place, though, with spectacular viz." His favorite dives? Same as those visited by FNF's dive shop boats. "Two make-up dives at Ulong Channel in Palau were world-class."

His trip may have been a one-shot deal, but Fish n Fins co-owner Tova Harel Bornovski says *Ocean Hunter III* will offer a special trip every year. (*Ocean Hunter II*, which did two in 2007, is currently commissioned for a research trip and won't be available for recreational diving use until next year.) The next one is a two-week trip from December 21 to January 4, visiting Palau's southwest outer islands. The dive sites include Sonsorol, Pula Anna, Helen Reef and Tobi -- stretching 400 miles south of Koror, they're actually closer to Indonesia.

More special trips may soon be scheduled, Bornovski says. "We've been approached by a few TV channels interested in undiscovered WWII wrecks, and some natural history documentary filmmakers. This might open a window of opportunity for dive guests to explore truly remote destinations in the Western Pacific." For more information on the special trips in December and beyond, send an e-mail to [info@oceanhunter.com](mailto:info@oceanhunter.com).

(PS: Foster has written scores of science-fiction, fantasy, horror and contemporary fiction books, including the novel versions of films such as *Star Wars*, the first three *Alien* movies, and *The Chronicles of Riddick*. See his website at [www.alandeanfoster.com](http://www.alandeanfoster.com).)

within 10 feet of me. Sting rays and schools of jacks, snappers, barracuda and batfish also clustered around the entrance. After 20 minutes of the underwater café spectacle, I unlatched my reef hook and went with the current into the channel, careful to avoid nesting titan triggerfish, which are extremely protective of their eggs. When the incoming current is strongest, visibility can shoot up to 90 feet, and the big fish come along for the ride. This time I was too early, plus other divers in the boat wanted to do a third dive at Chandelier Cave, so I missed the main current thrust. Feeling bad for me, Steve made it up on the third dive by showing me the glittering stalactites and jagged rock formations in Chandelier Cave. Water temperatures averaged 80 degrees, and I was fine in my 3-mil wetsuit with a 1-mil hooded vest.

FNF does a good job of grouping divers with similar skill levels as well as interests. This trip offered a global mix of Europeans, Japanese, Koreans and Taiwanese, so talk about a Babel of gabble. However, when newbies doing their first dives came aboard with an FNF instructor, Steve had to find a shallow and calm site for them, meaning one far from the pelagic-filled reef.

I made it a habit of having cappuccinos before every morning dive in FNF's open-air Barracuda Bar next door, and using their hot freshwater shower on the dock at day's end. Once again, I booked at the West Plaza Desekel, one of Koror's five West Plaza hotels, the Motel 6 chain of Palau. My \$90 room was simple but clean with a small fridge and a king-sized bed. It was a five-minute walk to the dive shop (although FNF offered to pick me up) and to downtown, which was traffic-congested but

clean and resembling your typical American suburban strip, except for the abundance of Japanese restaurants. My favorite eateries were the Taj, an Indian restaurant across from the jail, and Surinaya, a cozy Thai restaurant across from the national basketball court building. Both had friendly service and a wide array of their national dishes but most important, they were inexpensive and had air-conditioning and cold beer. There were pizza and burgers at the Rock Island Café and a supermarket below the Desekel.

My third and last day was spent at Palau's signature Blue Corner, a ledge at 60 feet with a steep dropoff exposed to a weak current. Sharks hovered just 10 feet away from where I swung from my reef hook. Visibility was just 60 feet, but it was clear enough to see the abundant groupers, morays, turtles, eels, snappers, chevron barracudas, redtooth triggerfish, and Napoleon wrasses. One giant grouper let me snap photo after photo from three feet away. I found a delicate white nudibranch nestled in the rocks, a striking contrast to the large marine life lumbering above it. After 20 minutes, I unhooked and moved to the plateau behind the ledge, watching a barracuda ball form, a sleeping reef shark, and a large pufferfish out for a stroll with a jack. I blessed FNF for its free Nitrox but when several divers got short on air, we all had to surface after 60 minutes. This time I didn't mind cutting it short as I wanted a hot shower and a cold cocktail before I had to pack my bags for the Ocean Hunter II.

## A Second Look at Dive Boat Engine Exhaust

*We often get letters that you should also read. Here's one from reader Dave Marchese (Hummelstown, PA) about our June article on the Baani Adventure's faulty air compressor, which killed one diver and injured 10 others because of carbon monoxide poisoning.*

Dear Ben,

My wife and I were on the *Baani Adventure* in November 2007. In addition to the ship being in a general state of disrepair, the food being poor, and the bedrooms containing cockroaches, there was one dive that seriously scared me and now, after reading your article, scares me even more.

After that mid-trip dive, at least half of the 18 divers were significantly dizzy, had severe headaches, and just "didn't feel right." I have done 800 dives, and most others were similarly experienced, so we all knew this was a new sensation. We discussed it and were convinced it was bad air. Very foolishly, none of us made a stink over it. Instead, I examined the compressor. It was a very new-looking Honda unit, and the donhi exhaust seemed to be a good distance from the air intake. I didn't really know what I was looking for but it didn't seem to have any obvious issues, so I decided to forget about it. I'm ashamed in retrospect, but I guess we all wanted to believe the best while we were on vacation.

I planned on writing a Chapbook report but when I returned home, the new Chapbook was in my mailbox, full of scathing articles about the operation. I figured the word was out and they were finished, at least to *Undercurrent* subscribers. However, now I really wish I had written because it could have saved a life. I didn't feel right accusing them of such a serious offense when I had no concrete proof and

I didn't see any obvious causes during my simple, scratch-my-head compressor inspection. I'll never make that mistake again. And I'm going to buy a carbon monoxide detector.

\*\*\*\*

Dear Dave,

Buying that detector is a good idea. Marine engines produce more carbon monoxide than cars because they don't have any after-treatment of the exhaust. It was only a few years ago when the U.S. Environmental Protection Agency listed CO as a deadly hazard on houseboats, especially when people swam or floated near the stern swim platform when the generator was running. Deaths formerly attributed to drowning were in fact carbon monoxide poisonings of people swimming into an air cavity. Boaters were also being overcome in "fresh air" poisonings while sitting on stern decks and swim platforms.

While cars have had catalytic converters for decades to reduce tailpipe emissions, the EPA has begun setting standards for marine engine emissions just in the last decade, and the job is only half-finished. Outboard engines are now manufactured under new EPA standards, phased in through 2006, and the next set of regulations will cover gasoline stern-drive and inboard engines. But that's just the U.S. As we saw in the *Baani Adventurer* incident in the Maldives, some countries where dive trips take place have no regulatory body for boat and diving safety.

There's no magic potion yet for reducing CO emissions. Ethanol is making a push in the boating industry but has so far proved problematic in boat engines because it can dissolve fiberglass fuel tanks and it attracts water. Alternative power sources like hydrogen and hybrid engines are just starting to be tinkered with.

The next morning, FNF's driver picked me up at the motel, and other crew moved my luggage onboard the 75-foot vessel moored at FNF's dock. I collected my gear, drying in the locked drying room, and gave it to the crew to stow while I checked in at the Barracuda Bar. Joining the crew of five were 12 guests for six cabins - couples from Germany, Switzerland, Oregon and Florida, a Canadian and my group of three. I got Cabin 4, one of the five deluxe cabins with a double bed that tall divers are best off sleeping diagonally in, a single bed overhead, bright reading lights, ensuite shower with hair dryer, storage space and air-conditioning that was kaput most of the trip. The large master suite on the top deck has a spacious king bed. Smokers are allowed, but blissfully, nobody on this trip was one.

After a boat briefing, we headed 15 minutes south to our checkout dive at the Japanese tanker and transport ship Iro, sunk by a torpedo during WWII. Visibility on the forward part ran 100 feet as I checked out the coral-encrusted forward tower at 25 feet and the deck at 85 feet. Next stop was the Ulong Channel, which I had done two days before. The current was stronger on this dive and more sharks were around, as well as a large bait ball. It was an interesting dusk dive but the sense of *déjà vu* followed me for the rest of the cruise.

Led by Eddie, the eagle-eyed trip director and divemaster, the five-man crew from Palau and the Philippines was friendly and always available, even after supper when they told stories in the salon. Food was tailored to individual requirements, including my request for low-cholesterol meals. It was good but not fabulous enough to make me have to go back for seconds. Coffee and rolls were available before the 7 a.m. dive. Dried off 90 minutes later, I sat down to a full American breakfast with fruits, cereals, eggs and pancakes. I jumped back in the water at 10 a.m., then had a 12:30 lunch of burgers or tacos, vegetarian dishes and various sides. After the 2 p.m. dive, chef Arlee handed me the fresh fruit smoothie along with a brownie or a cookie. After a snooze or a look through my photos, my final dive was between 4 and 5:30 p.m. We all gathered at 7 p.m. in the salon, just

## Transferred by the Rinse Tank: A Nasty Case of Conjunctivitis

Daniel Olsson, a professor of emergency medicine at Upstate Medical University in Syracuse, N.Y., was getting some dive time in at a medical conference in Fiji when he got a nasty case of pink eye, or conjunctivitis. When 13 fellow attendees, nearly half of the entire group, also caught the nasty infection, he knew it was no fluke.

The conference was held in 2006 at Wananavu Beach Resort on the island of Viti Levu. The 29 attendees took day dives from Kai Viti Divers' two boats and used the communal container to store their masks. On the second dive day, several divers complained of ear pain. On day three, four people developed eye problems. Additional cases accumulated during the next two days, totaling 14. The source of the outbreak was a local divemaster who reported having an eye infection for a number of days prior to the outbreak, and admitted placing his own mask in the communal container. As divers moved between boats, they mingled their infected masks, even though Kai Viti Divers supposedly washed them all nightly.

Kai Viti and Wananavu staff immediately got bleach and detergent to clean the boats, and the divers got antibiotics and recovered after returning home. But Olsson found out later that his peers' outbreak coincided with a general outbreak of acute conjunctivitis occurring in Fiji at the same time; excessive numbers of cases had been reported in Viti Levu alone. He later summed up the incident in a research study for the May issue of the *Undersea and Hyperbaric Medicine Journal*.

"I was dismayed that Kai Viti and Wananavu were not more aware of the outbreak, but they did everything we asked of them to control it," Olsson told *Undercurrent*. That's why divers need to take it upon themselves and check for potential health hazards in the countries they're visiting, he says. The Centers for Disease Control has a Travelers' Health Web site with pages for every country about what to know about medically before going there ([www.cdc.gov/travel](http://www.cdc.gov/travel)). "It's also a good idea to consult a travel medicine physician about what vaccines to have and antibiotics to take."

As for staying clear of infections like conjunctivitis, the best thing to do is to keep your dive gear separate. But if communal tanks abound, a squirt of bleach in the water for a two-minute soak (no more or else the plastic will erode) should keep your eyes in the clear.

*The study "Conjunctivitis Outbreak Among Divers" appears in The Underwater and Hyperbaric Medicine Journal, Vol. 35, No. 3, pgs. 169-174.*

## Get Published in the 2009 Chapbook!

We need your travel report for the 2009 Travelin' Divers' Chapbook. **The deadline is September 20, 2008.** Here are the two ways to send it in:

1. Complete the online form at our Web site:  
[www.undercurrent.org/members/UCnow/ma\\_rdrprt.php](http://www.undercurrent.org/members/UCnow/ma_rdrprt.php).  
While you're there, search 10 years' worth of Chapbook reports and *Undercurrent* back issues.

2. Send your report in an e-mail or as an attachment to us at [readerrpt@undercurrent.org](mailto:readerrpt@undercurrent.org). Don't forget to put your name on the report.

big enough to seat 12 people at the round tables, for soup, followed by meat, fish and vegetarian entrees, and desserts of cakes, custards or simply fresh fruit. Afterwards, I lingered in the salon to watch Arlee and Richard, the chase boat driver and steward, break out the karaoke microphone. However, I did turn down their offer to join in for a duet on "My Way."

Like their counterparts at the dive shop, Ocean Hunter dive guides wanted rigid dive times and the group to remain together, although they ended up relaxing the rules somewhat. Eddie announced that to keep on schedule, dive times were 60 minutes max, including safety stops. He gave detailed briefings and kept a close watch to ensure everyone managed the currents.

Divers either goose-stepped off the back of the liveaboard or rolled off the fiberglass chase boats, with the guides immediately after. Not a bad idea in strong currents, but constrictive if you're used to doing your own profiles. Once I proved my dive experience, the guides let me drift farther away. My dive buddies and I took more time ogling and filming underwater than the others, so our dive times stretched to 70 minutes and we had to find our own way back. We always seemed to meet up with everyone else, but later I found out Eddie always turned the group around to meet us. The Ocean Hunter had good ladders, with steps so wide I could climb on board with my fins on.

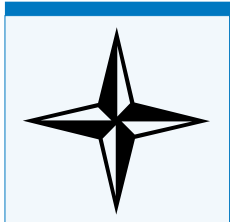
Shark City, a site I had not dived on this trip, was along Palau's outer reef and one of the deeper dives at 85 feet. The sharks came to meet us, along with massive schools of jacks and barracudas, clown and blue triggerfish, turtles and large unicorn fish. After a day of getting reacquainted with Peleliu's rainbow-hued soft and hard coral, we headed back to Blue Corner -- my third time there but I can never complain about that site. The shallower afternoon dives at the end of the trip were spent closer to Koror, like at Ngerchong Outside and its acres of staghorn coral dotted with lionfish, cuttlefish and eels, and a twilight dive at Mandarin Fish Lake, where one coral head housed a dozen mandarin fish performing their mating rituals.

Even though I had a seven-day itinerary, the Ocean Hunter was back in the harbor on the sixth night and back at FNF's dock on the seventh. Eddie had decided that to see Devilfish City and its manta rays, one of the dive shop's twin-outboards boat made more sense when compared to Ocean Hunter's traveling speed of eight knots. Backrolling down to 30 feet and getting myself situated, 30 minutes into the dive, two mantas with 15-foot wingspans glided toward us, ready for their cleaning appointment.

Even before my trip ended, I was planning a sixth trip back to Palau - but staying on terra firma next time. It irked me that the Ocean Hunter, charging liveaboard prices, docked within clear view of the dive shop for the last two nights -- I could have gotten a more comfortable bed by taking the chase boat to the dock and getting my motel room. While I love FNF and its staff of friendly locals, I don't care to spend extra on a liveaboard that takes me to the same sites as their shore-based speedboats. (And the Hunter charges extra for Nitrox, while there is no additional charge for Nitrox on shore-based dives). While the information FNF offered promised five dives a day on the Ocean Hunter, I did the maximum four dives a day offered. Tallying up my expenses, a four-dive day on the boat was \$445 a day, plus Nitrox, while a three-dive day on land with room and meals cost me \$290 per day. For many, paying more for "immediate" access to dive sites and being on a liveaboard with more personal attention and less commuting time, and that fourth dive, will be well worth it. Me? I have just as good a time on land with exposure to the same dive sites, a wider choice of things to eat and do, and a longer bed. Plus, I get to experience more of the local culture, like taking one of FNF's outrigger canoe tours or bargaining for local art at the jail's gift shop.

Ocean Hunter II has been commandeered for research use until next year, but the 16-passenger Ocean Hunter III, which debuted in April, is more luxurious and has already gotten a couple of thumbs-up in Undercurrent's reader reports. It does special trips to Palau's southwestern islands and Yap, and for unique voyages like that, I'd spend the money. But to avoid divers who cop out after the second dive, my plan is to get four or five other divers to charter a day boat so I can go wherever I want - and even dive Blue Corner four times in a row if I feel like it.

-- H.N.M.



**Diver's Compass:** Fish 'n Fins charges \$130 for a two-tank dive and \$45 for the third, or snorkel at Jellyfish Lake and Chandelier Cave for an additional \$35 and \$40 respectively . . . 32-percent Nitrox is free . . . FNF promises discounted diving and lodging rates if you book a package through it . . . Ocean Hunter I, a 60-foot boat for six divers, is \$3,200 for 7 days and \$4,600 for 10 days; Ocean Hunter III, a 96-foot boat for 16, is \$3,100 and \$4,400 . . . Continental Micronesia flies to Koror daily from Guam, and Wednesdays and Saturdays from Manila; the lowest winter fare offered is \$1,600 but check online at

[www.continental.com](http://www.continental.com) to see if flight schedules have changed . . . For more date flexibility, fly any airline to Tokyo, then use Continental to Guam and Koror; but FNF says it can get a return flight from Manila for \$507 compared to the regular rate of \$760 . . . Air and water temperatures average 82 degrees year-round; there's no official rainy season, but weather can be unpredictable . . . English and the U.S. dollar are commonplace . . . Palau is not at risk for malaria, but drink bottled water . . . Koror's hospital has a hyperbaric chamber . . . Fish 'n Fins' website: [www.fishnfins.com](http://www.fishnfins.com); Ocean Hunter's website: [www.oceanhunter.com](http://www.oceanhunter.com)

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## Dive Deals in the U.S. and South Pacific

### *more dive trip bargains, plus a good Caribbean flight tip*

The high cost of travel might be keeping a few divers home, so in the August issue, we described bargain destinations in the Caribbean and Asia Pacific. Here are a few additions to the list. Traveling divers often overlook Florida's tropical waters because the Keys, which are deteriorating, get all the press. So, for better diving look north of Miami.

#### **Boynton, Pompano and West Palm Beaches, Florida.**

North of Fort Lauderdale is Florida's best-kept diving secret, says Allison Scheflow (Hollywood, FL). "I dive in Pompano Beach, Boynton Beach and Lantana and love the beautiful reefs and the ease of drift diving. There are wrecks too, usually full of fish." Dives range from 40 to 120 feet on a few wrecks, and viz can average 70 feet. Monty Chandler (Charlotte, NC), who dived with Splashdown Divers ([www.splashdowndivers.com](http://www.splashdowndivers.com)) in Boynton Beach in May, had to remind himself he was not in the Caribbean. "The reef was healthy with brilliant sponges and sea plumes, healthy coral formations, and abundant macro-life from slender filefish to cleaner shrimp." "It doesn't have the sexy cachet of some exotic spots but I really enjoy West Palm Beach," says Ronald Ross (Frostburg, MD). Great places for post-dive refreshments are close by; Scheflow's favorite is Two Georges, next door to Splashdown Divers. Other dive shops she

recommends are Parrot Island Scuba Adventures in Pompano Beach ([www.parrotislandscuba.com](http://www.parrotislandscuba.com)) and the *Starfish Enterprise* in Lantana ([www.idivestarfish.com](http://www.idivestarfish.com)). Ross recommends The Scuba Club in West Palm Beach ([www.thescubaclub.com](http://www.thescubaclub.com)). For bargain lodging, there are plenty of motels along the coast.

**Channel Islands California.** "My favorite dive bargain is to the northern Channel Islands with Truth Aquatics' boat out of Santa Barbara," says Neal Langerman (San Diego, CA). "Superb diving, great food and people, and no need to deal with airport security hassles. It costs around \$500 for a three-day trip and I typically do 12 dives. Yes, it is cold and can be rough, but those are easy to handle when you're doing some of the best diving in the world." Also, visibility can be iffy. Truth Aquatics runs one- to three-day trips to the Channel Islands, with occasional veers south to San Clemente and Catalina Island. Dive shops frequently host trips but non-affiliated divers can check the monthly calendar on the Web site, then call for details and reservations. A \$500 three-day trip includes cabin, meals, snacks and air fills. ([www.truthaquatics.com](http://www.truthaquatics.com))

Larry Clinton (Sausalito, CA) has been aboard *Peace*, one of the Truth Fleet, several times, and of his trip in August, he said

## Having Trouble Equalizing? Try Sinus Surgery

Some lucky folks are born with sinuses and Eustachian tubes like storm drains. Mine are like cocktail straws. I had always been able to equalize but in the past few years, my sinuses and ears got worse. Since my generation is spending the most on diving and aging simultaneously, the issue is indeed germane to most of you. The sad truth of sinus and equalizing problems is that they get worse with age.

Through a Diver's Alert Network referral, I met Paul Alberti, M.D, an ear, nose and throat specialist in New Haven, CT. Also a dive instructor and hyperbaric chamber-certified operator, Dr. Alberti understands why diving is an essential part of life and not something one just gives up. When a regimen of daily sinus rinses and topical cortisone sprays didn't do enough, a CT scan revealed my sinuses were filled with sludge and diseased tissue and my nasal septum was impressively deviated. I arranged for surgery in late 2007.

The latest and least invasive surgery is done endoscopically through the nose, with no incisions and no bruising. After full sedation and intubation (necessary since my airways would be filled with instruments), Alberti trimmed my septum, debrided the diseased tissue, and inserted balloons in each sinus to clean them out. Afterwards it was a lousy and painful week to recover.

But four weeks later, I went to Bonaire to dive again. Snorkeling went well, so I donned my gear. The dive was, well, strange. I descended slowly, gently clearing with the

Valsalva maneuver, and heard squeaks and popping sounds. At 30 feet, my maxillary sinus hurt and I realized that, for the first time, I had sinus squeeze. Though my gut told me to pop to the surface, my training told me to ascend slowly. As I climbed the ladder, I felt a pop, removed my mask, snorted into my hand, and saw blobs of mucus exactly the shapes of a maxillary sinus and the tube leading from it. Seems I had cleared out the remaining gunk.

I e-mailed Alberti who suggested I wait a day before another dive. That second try was a revelation. My ears cleared well, my sinuses seemed fine and I emerged from the water a happy diver. This continued for the rest of the trip and I'm fully healed.

I have learned a few things: A deviated septum affects how easily you can clear your ears but when it's fixed, both sides of the nose and throat pass the same amount of air, easing the job of formerly overworked tubes. I use my throat muscles more to equalize because they help flex the Eustachian tube openings naturally without putting pressure on them. Over-the-counter sinus rinses like NeilMed are great because they clear things out, moisturize tissues and have no side effects. And I no longer descend headfirst like a dropped weight belt but go slowly, equalizing gently. Not only has diving improved, I've even been told my voice is more resonant.

If you have a chronic problem, call DAN for a referral. Treatment really helps for equalizing-challenged divers who want to get wet without worry.

-- Mel McCombie

that, "The only thing more repetitive than the menu was the selection of dive sites. Other than the first night "banquet" of overgrilled tri-tip and fresh yellowtail, we were served chicken and penne pasta for most lunches and dinners. Breakfasts were always scrambled eggs with ham or sausage, plus a buffet featuring tepid oatmeal or a selection of cold cereals. We revisited a number of sites we had dived on previous trips: Sun Point near San Clemente, plus Ship Rock and Italian Gardens off Catalina, to name a few. At San Clemente, visibility ranged from 10 to 25 feet, contrary to some of the splendid days when kelp beds glisten in clear water." So, while you can get inexpensive accommodations (dorm-style sleeping, with privacy curtains for the bunk beds, diving conditions vary. At least the hot tub warms things up. ([www.peaceboat.com](http://www.peaceboat.com))

**North Carolina.** Wrecks are the highlights here but readers say the marine life is equally stunning, making North Carolina an unfairly overlooked dive destination. "Where else can you see German subs and sand tiger shark up to eight feet long?" says Martin Kelly, who dived with Discovery Diving in Beaufort. "On the wrecks, we saw swarms of baitfish. One time, I couldn't see the other divers, there were so many fish! The

boat ride out, 26 miles offshore and three hours long, can get tedious. But book in advance because the submarine trips book up fast." ([www.discoverydiving.com](http://www.discoverydiving.com))

Tim McCabe (Sandy Spring, MD) and his son dived with Aquatic Safaris in Wilmington in August. "We went 25 miles off the coast to dive the *John Gill* wreck, torpedoed by a German U-boat in WWII, at 95 feet. No current on the bottom and very good visibility -- for North Carolina. Lots of local reef fish and a couple of large groupers. The *Hyde* wreck had a ripping two-knot current, with lots of sand tiger sharks and large barracudas all around, especially on the boat. To get out of the current, we were able to go down into the open hold. Andre Nei, our divemaster, was knowledgeable and enthusiastic. The 30-foot dive boat was their smallest, as the 48-footer was down for maintenance, but it was well-run, clean and comfortable. There are plenty of inexpensive hotels and restaurants in Wilmington and Wrightsville Beach." ([www.aquaticsafaris.com](http://www.aquaticsafaris.com))

**More Bargain Picks on the Philippines.** We've said a few times that this country is the South Pacific's best dive bargain, especially since you can find airfares from LA for around



\$1000. And every month, our readers keep suggesting more great dive spots. One of the latest is the Mantangale Alibugay Dive Resort, on the northern coast of Mindanao Island in the southern Philippines. "It's the best overall value I've found in 20 years of diving," says John Crossley (Fresno, CA). There are cheap, easy connections though Manila on Cebu Air Pacific, and van transportation from the Cagayan airport takes two hours and costs \$115 round trip. For \$45 a night, two divers get a clean room with two beds, A/C, cable TV, plus breakfast. There are many good choices on the restaurant menu and prices are very reasonable. The diving is \$56 for a two-tank dive that includes lunch and free Nitrox. In three trips to Mantangale, I've never had more than three other divers on the boat. Dive guides, especially resort manager Dodong Uy, are highly skilled at picking good dive sites and finding critters. Paradiso, with 100-foot visibility, had some of the best soft corals I've seen in the Pacific. It also had tiny yellow pygmy sea-horses, so I needed to come back with my macro lens. Overall, my non-diving wife and I paid about \$720 for five nights, all food, airport transfers, and 10 Nitrox dives. To make a longer vacation, you can combine Mantangale with nearby diving at Camiguán Island or go by plane or ferry to Cebu, Bohol, Dumaguette, and Puerto Galera." (www.mantangale.com)

Mike Anderson (Irvine, CA) has also made multiple visits to the Philippines and his newest pick is Marine Village Dive House in Cebu. "If you like walls and fast drift dives, go here.

These guys were not afraid to take me on a wild drift dive, even at night, but they were always nearby to make sure I was okay. The resort gets a lot of Japanese divers and I was the only American there - - but all nationalities are welcome at this efficient, professional operation. Dive staff has been in place for years and knows the area very well. Boat dives are \$20, and rental gear is \$5 a day. Fly to Mactan International Airport and get a van to drive you south to the resort, which can set that up for you. This place is a better value than the nearby resorts in Dumaguete." (www.marinevillage.net)

**An alternative route to Bonaire.** Nonstop flights to Bonaire are rare and if you are on American Eagle through Puerto Rico your bags may not be with you. A better option is to take bigger jets to Curacao Aruba (many airlines fly planes from many cities) and grab the quick commuter flight to Bonaire. Tom Kelly (Chapin, SC) says "Once in Aruba, fly Tiara Air. You'll have to pick up your luggage and re-check on Tiara Air, but this is easily done and the flights are not expensive." (Currently about US\$82.) Flights each way are twice daily on Friday and Sunday, and once on Monday and Wednesday. "That means you can spend an extra day on Bonaire and not have to worry about missing your only flight off the island." (www.tiara-air.com, but because the Web site is rustic, consider calling the airlines instead at 011-207-58-TIARA.)

-- Ben Davison

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## Divers, Sign Your Life Away: Part II

*warning: this release may be harmful to your lawsuit's health*

In last month's issue we covered the common provisions in a dive release and its effectiveness in protecting the dive operator from negligence claims. This concluding portion of my dive release article discusses some other dive release provisions which protect dive operators, and a few provisions which courts in the U.S. usually will not enforce.

### **If the Release Doesn't Get You, Other Provisions May**

Some releases contain a "choice of forum" clause and a "choice of laws clause" (e.g., Peter Hughes' and Mike Ball's online releases contain both). The "choice of forum" clause (such as in Hughes' releases, which sends litigants to the courts in places such as Indonesia, the Maldives and Belize) will, if enforced, result in a U.S. court dismissing the lawsuit and leaving the injured diver or his heirs to journey to the designated court - often one distant and/or foreign. The prospect of finding a foreign attorney who can communicate in English, is trustworthy and will charge a reasonable legal fee, will discourage most litigants from pursuing their claims (note that most countries don't allow the contingency fee arrangement, which fuels almost all U.S. personal injury/wrongful death suits).

Courts within the U.S. will generally enforce a release's "forum selection" clause so long as it is fair to the suing party. Thus, if the designated forum is where the dive accident occurred, and the chosen court offers the diver some chance of litigating his claim, the court in which the diver chooses to sue will dismiss the case and leave him to refile his case in the designated court. A forum selection clause is useful to an operator who does enough business in, or has sufficient contacts with, a state within the U.S. to give that state's local or federal courts power (jurisdiction) over the operators. Such an operator, if he inserts a "forum selection" clause in his release, can force the plaintiffs to sue in a court that the operator thinks is more convenient and friendly to himself. Thus, a New York state court dismissed a New York resident's lawsuit arising out of a dive injury in Bonaire, leaving the diver to sue under the release's forum selection clause in a Bonaire court. The injury occurred where the forum selection court was located and where most of the witnesses resided.

Courts likewise will usually enforce a "choice of laws" clause if: 1) the chosen state's or foreign country's laws have

## Can You Make Any Changes to a Dive Release?

Subscriber Neal Langerman (San Diego) asked me this question: “What can the diver do when faced with an unacceptable release? Is signing it the only option? This seems like coercion. I try to remove the negligence releases, but many operators simply refuse to let you on board if you change the form.”

Sign it anyway, because you can then contest the objectionable provision if the release later becomes relevant due to a lawsuit. A diver does not give up his right to contest the objectionable provision by dint of having earlier signed the release. The court will not enforce the provision to the extent that it releases, say, grossly negligent conduct or conduct that violates some statute.

Two factors work in your favor in contesting even a legal provision. First, courts insist the releasing language be clear and conspicuous, because they closely scrutinize exculpatory clauses that release a person in advance for negligent conduct. Also, releases are “adhesive,” meaning they contain standardized language the other side must accept as is with no chance to negotiate. The upshot is that courts will interpret in the diver’s favor any provision the court decides is ambiguous and subject to more than one reasonable interpretation. The second factor in your favor is that a court won’t grant a summary judgment motion if it feels there is any important fact that should be left for a trial.

With all this said, however, the fact remains that courts frequently grant release-based summary judgments to dive operators and other recreational activity providers. Were this not so, many of them would cease operations, either because they couldn’t obtain liability coverage, or no coverage at an affordable premium. And an operator without liability insurance is probably not a good choice for your next dive outing.

-- Larry Schnabel

a substantial relationship to the parties or their transaction, or have some other reasonable basis; 2) the law chosen is not contrary to some fundamental policy of a state with a greater interest in the matter’s determination than the chosen state or foreign country; and 3) the applicable law would be that of the state with the greater interest absent the choice-of-laws clause.

Another speed bump a diver may encounter on his trip to court is a “time to sue” clause. Dive releases occasionally provide that the injured diver or his heirs must file suit within a certain time (e.g., Peter Hughes’ and the Aggressor Fleet’s releases specify one year). These time-to-sue provisions are usually shorter than what the otherwise applicable statute of

limitations provides (e.g., California’s and Hawaii’s statutes allow two years for a personal injury and wrongful death suit based on negligence, New York two for wrongful death, three for personal injury; if maritime law applies, three years for either claim).

If enforced, time-to-sue clauses give the dive operator some certainty on when he and his insurer can close the books on a potential claim. A choice-of-laws clause won’t necessarily provide such certainty, since a court may decide the chosen law does not extend to when a suit must be filed.

Courts generally will enforce a time-to-sue provision shorter than the applicable statute of limitations period so long as the provision violates no statute and is reasonable. “Reasonable” basically means giving the plaintiff sufficient time to investigate his claim and to file suit. Note that a federal statute prohibits a “time for suit” clause less than one year for certain seagoing vessels (and a companion statute prohibits a release of liability for negligence). But this statute will not affect most dive boats since the statute does not apply to vessels leaving and returning to the same port and is aimed at cruise liners.

### When a Dive Release Provision Won’t Fly

A dive release may not bar liability for gross negligence, willful misconduct or violation of law. While it is the rare dive release that explicitly states it releases “gross negligence” (versus just “negligence”), at least one reported case held that a PADI release’s reference to “negligence” protected the defendant dive instructors and PADI International against a claim of gross negligence. However, a recent California Supreme Court decision may well end any chance a dive operator will ever again escape liability through a release if guilty of gross negligence.

In July 2007, the California Supreme Court issued *City of Santa Barbara v. Superior Court* (available online). It involved a wrongful death suit by the parents of a developmentally disabled 14-year-old girl who drowned in a city swimming pool. The issue before the court was whether the city’s release extended beyond ordinary negligence (failure to use the same care as a reasonable person would under similar circumstances) to include gross negligence (the lack of even scant care). In an exhaustive analysis, the court found that most U.S. courts will not extend a release - however worded - to cover gross negligence. It refused to extend the City of Santa Barbara’s release to gross negligence, fearing a contrary ruling would lessen the incentive to safely operate recreational activities. For the same reason, courts will not enforce releases of more aggravated misconduct, like willful negligence (conduct so unreasonable and dangerous that the foreseeable harm is highly probable) and violations of law.

Courts outside California likely will be influenced by the City of Santa Barbara opinion given the respect generally accorded California’s Supreme Court in shaping tort law. It remains an open question whether this opinion will make it

more difficult for a dive operator or other recreational activity provider to win summary judgment since – as the opinion itself concedes – it is generally a question of fact whether the conduct in question constitutes ordinary versus gross negligence.

It is also worth mentioning here the use of a “severability” clause. Where a release contains an invalid provision, there is a risk that this provision will infect the rest of the release, making the entire release invalid. To help avoid this risk, releases often contain a clause along the lines of “If any provision of this Release is held invalid, it is agreed the remaining terms shall remain in full force and effect.” A severability provision indicates that the parties to a release have agreed that a court may if it chooses cut out an illegal provision (e.g., release of liability for willful misconduct, gross negligence or violation of law) and enforce the release’s remaining provisions.

A release will not extend to liability stemming from a defective product. Dive shops and dive operators that sell or lease dive equipment are considered in the product’s chain of distribution. That generally makes them potentially liable on a product liability claim along with the manufacturer and distributor of a defective diving-specific product. Thus, a dive release will occasionally list product liability as one of the released claims.

U.S. courts will not extend a recreational activity release to a product liability claim stemming from an injury or a defective product. The reason is public policy - the manufacturer and downstream distributors are better situated than the consumer to recognize and remedy the defect as well as pay for any resulting harm. Luckily, dive product defects are rare.

### **Minors Get a Free Pass**

A majority of U.S. courts will not enforce a release of a minor’s claim, regardless if the parent signs the release on the minor’s behalf. (California and a few other states will enforce it.) However, despite this majority rule, that same form will release that parent’s claims based on the child’s injuries, at least where it is clear the parent has signed the release on his own behalf, not just on the minor’s. Parents sometimes join in the minor’s suit, claiming reimbursement for medical expenses they paid on the minor’s behalf, damages for the value of any services the minor performed and - in those states allowing this - damages for loss of the child’s companionship.

### **Diver, It All Comes Down to You**

As Michael Ange observes in his book *Diver Down*, the majority of dive accidents are due to diver error. Yes, occasionally dive operators may play a role in a dive mishap, but it rarely stems from gross negligence, violations of law or product defects. Most dive lawsuits boil down to a claim of ordinary negligence. It is just such claims which dive releases are geared to extinguish. All the more reason then why divers need to take responsibility for their own safety, for there is rarely a pot of gold at the end of the litigational rainbow.

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## **Rescue Devices For Saving Your Bacon**

### *the role that flags, flashlights, etc. play if you’re lost at sea*

By now you have heard recent stories of divers accidentally separated from their boats and being left to drift helplessly at sea. I’m aware of nine such incidents involving 28 divers in the first half of 2008 alone. Many years ago, six Japanese divers were lost in the waters near Palau and their bodies were found too late, but not before one of them had written on her slate, “We can see you searching for us but you can’t see us.” That encapsulates the problem. You may surface to easily see your boat, but can the people in the boat see you?

I had my own uncomfortable experience as a dive guide in Sudanese waters back in 1992, when technical problems with the boat meant that my group had to be abandoned for a few hours after surfacing from a dive. It certainly gives one time to think out a better strategy. Many sport divers dive without any form of surface signaling device. Some liveaboard operations hand out simple safety sausages that can be inflated at the surface. Provided the diver keeps the open end closed and under the water, one will stand upright, but how easily can it be seen?

### **Some Devices Are Dependent on the Time of Day**

After a boatload of British divers were lost and left to drift until dark, when their dive lights could be spotted by searchers, it became a rule within Egypt’s marine parks in the Red Sea that all divers must carry a surface marker and a dive light for such eventuality. Another group of day-boat divers that got separated on the surface from their boat at the Elphinstone Reef (not part of the marine parks) were less lucky and only one survived after he made the long swim to the shore.

A reliable light held in reserve with fully charged batteries can be a life-saver once darkness falls. An emergency strobe beacon of the type that is rated to as much depth as you are ever likely to take it will give a piercing flash of light in all directions regularly and for many hours. But wouldn’t it be nicer to be found before nightfall?

In May this year, an American and British diver on the Great Barrier Reef were rescued after 19 hours at sea. Soon

## Dive Instructor Charged with Homicide

Dive instructors do make mistakes, but rarely do they lead to murder charges. In this unfortunate case, Allison Rainey Gibson, a 44-year-old dive instructor in Tuscaloosa, Alabama, faces charges of criminally negligent homicide involving the death of her 21-year-old student Zachary Moore in April 2007. Moore's father, Chris, is also filing a civil lawsuit against Gibson, her former employer Venture Sports, and Scuba Schools International (SSI), the agency that certified her as an openwater instructor.

As a University of Alabama student, Moore enrolled in "Beginning Scuba Diving," organized by Venture Sports and taught by Gibson. On April 17, the class took part in a "doff and don" drill, removing their equipment, descending to the bottom of the 18-foot, Olympic-sized pool, recovering their gear and staying at depth breathing from regulators until everyone finished the drill. According to the civil lawsuit, Gibson was not in the pool during the training exercise. Instead, she was giving a private lesson to Lewis Fitts, not enrolled in the class, at the opposite end of the pool. She appointed her two assistants, Mark Forrester and Henry McIntyre, to oversee the drill but both were only certified as openwater divers and had no instructor qualifications.

Moore ascended after taking off his gear but was found floating face-down on the surface. An autopsy revealed he had inhaled the compressed air while descending but didn't exhale while swimming to the surface. Moore, Forrester and McIntyre removed him from the pool and called 911. Moore was rushed to the hospital, where he was pronounced dead from a lung overexpansion injury and an arterial gas embolism.

Besides charging Gibson with neglecting her students and putting inexperienced people in charge of them, Chris Moore's lawsuit also claims SSI didn't adequately train Gibson to respond to the medical emergency. The class had approximately 20 students, but SSI standards state that the maximum number for deep water training should be eight students to one instructor, 10 to two with a certified assistant, and 12 to three with two certified assistants.

After a Tuscaloosa County grand jury reviewed the evidence in June, it handed down a misdemeanor charge of criminally negligent homicide. Gibson turned herself into police but was released from jail on \$5,000 bail. Criminally negligent homicide in Alabama is punishable by up to a year in jail and a \$5,000 fine. Moore's civil suit does not specify monetary damages sought, and only asks a jury to award "such sums as the jury may assess and are recoverable by law." Neither party would comment to *Undercurrent* but Moore's lawyer Robert Mitchell says he expects the case to take months till closure.

after that, another group of five divers made the news when they were 'swept away on a strong current' at Komodo Island in Indonesia. Strong currents are often a feature of the world's most notable dive sites.

Surface marker buoys come in all shapes and sizes and vary in their ability to be seen. Standard ones are only good over a distance of, say, half a mile. Some divers carry an old CD with them that can be used to flash a reflection of the sun -- if there is sunlight. You don't just flash at will. You must create a visible and consistent reflection of light toward the direction of your potential rescuer. Years ago it was possible to buy a heliograph mirror for divers. It was simple to aim it by means of a sighting device so at least you knew that it was doing its best to tell people you were there. It didn't prove popular in the marketplace.

Very loud whistles like the Dive Alert siren (approximately \$40; [www.divealert.com](http://www.divealert.com)) can be attached to the direct-feed inflator of your BCD or on a stand-alone hose and make use of compressed air from your tank. They emit an ear-piercing screech that can attract the attention of your pick-up boat driver if he is inattentive when you surface. Don't expect anyone to hear that screech over the sound of a boat engine at full throttle, though. And if a boat crew does hear an unexpected whistle, it still leaves the problem of identifying where it comes from. Visual indicators are always important.

### What About Flares and Beacons?

Flares come in numerous shapes and sizes. Some produce a colored smoke that will make a diver into a larger subject for a searching aircrew while an emergency plastic streamer does the same thing but for longer. A parachute flare gives boat crew an idea of the general direction they should be looking in for a lost diver but they represent a one-hit-wonder. It is not worth sending up a flare, unless you know that someone relevant can see it. That seems to be the crux of all attention-grabbing surface devices. Someone must know that you will need rescuing.

Personal Locator Beacons (PLBs) were originally missold as Emergency Position Indicating Radio Beacons (EPIRBs) until the Coast Guard rightly pointed out that they are not sufficiently powerful, nor do they use the now-current 404-Mhz frequency, so no Thunderbirds get launched. Neither are EPIRBs really suitable for the quick response needed by divers, because it can take up to 90 minutes for rescue services to be alerted this way. However, using a different radio wavelength (121.5-Mhz), PLB devices can be very effective over surface distances of three miles if the search vessel is equipped with a suitable tracking device, and longer when the beacon is sought from the air.

In the UK, lifeboats are also so equipped but there is little point in buying a lone transmitter for use anywhere else if there is no tracking device available. And you're still left with the

possible unreliability of batteries and electronics that have been taken underwater. Some PLBs now use both frequencies but usually need a waterproof case for diving. The *Undersea Hunter* boats at remote Cocos Island in the Pacific equip every diver with an emergency-only PLB transmitter, and crews are well-trained in the use of the tracking device. A good way to ensure a strong outgoing signal is to combine the unit's flexible aerial with an inflated SMB. McMurdo makes PLBs with and without GPS (prices start at \$300; [www.mcmurdo.co.uk](http://www.mcmurdo.co.uk)).

### My Favorite Rescue Device

I prefer a low-tech answer because I always know if it is going to function properly. Since that fateful day in the Sudan, I have always carried a big fluorescent yellow flag on a long extending pole. I attach it to my tank by means of two elastic straps. The biggest problem seems to be getting your signal marker high above cresting waves. The flag can be raised on its extending pole above the swell and forms a horizontal shape with an attention grabbing flutter on a sea breeze.

On one occasion when I was using mine to signal my arrival at the surface to my cover boat after a dive with a closed-circuit rebreather, divers on another cover boat returning to the *Sea Hunter* noticed my flag from a distance of several miles. I have used my surface flag in earnest in the waters of the Mergui Islands, in the Maldives, in the Galapagos, after the quick drift

dives of Aldabra, and almost every time after a high-voltage dive at Cocos or Malpelo.

Research done by Heriot-Watt University on behalf of the British government some years ago determined that a yellow flag was the most visible marker when it came to search by sea or from the air. It stated, "The folding flags were by far the most reliable and cost-effective location device we tested, particularly the day-glo yellow pennant, which was consistently spotted at more than one mile and up to two miles. Yellow was the most conspicuous color in all sea states, even with breaking wave crests, and could be located in deteriorating light when it was impossible to locate pennants of any other color."

I recommend every diver gets so equipped.

(Note: The only place we could find yellow diver flags easily for sale online was at Bowstone Diving in the United Kingdom at [www.bowstonediving.com](http://www.bowstonediving.com); \$33, plus \$27 shipping. But check with your local dive shop for options closer by.)

*John Bantin is the technical editor of DIVER magazine in the United Kingdom. For 20 years, he has used and received virtually every piece of equipment available in the UK (and the U.S.) and makes about 300 dives for that purpose, and he is also a professional underwater photographer.*

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## Stop Chasing Digital Innovations

### *that next camera upgrade may get you nowhere*

Three years ago, *Undercurrent* invited me to write an article on underwater photography and digital technology. Nikon and Canon had just introduced the first digital cameras with "professional features," which eliminated "shutter lag," allowed the use of regular SLR changeable lenses, and boosted the resolution and mega-pixel ratings into an acceptable range for publication purposes. They also included a plethora of other features that convinced a lot of us underwater pros to transition to the new technology, albeit with some old-school trepidation. (See the 2005 July and August *Undercurrent* for the two-part feature.)

Digital imaging was controversial, and the critics were vocal. Legendary underwater photographer Chris Newbert denounced digital systems, noting that he had no objections to people using them, but he preferred they not call their results photography because so much of the craft was turned over to "auto" systems that led "mediocrity to a new level." Newbert echoed the ethos of pure film professionals who prided themselves on the craft of photography and labored over manual focus, f-stop and shutter speed selections, the limits of a 35-frame film load, etc.

My own criticisms at the time were with the blatant and sometimes absurd manipulations in computer software programs like PhotoShop that were passed off for the real thing. The believability of images was left behind when pieces of several shots were combined into one, such as South Pacific species being dropped into Caribbean reef scenes. Some of the worst offenders were advertisers who believe that any alterations to reality were acceptable if it sold their products.

I saw advantages in the digital technology but still adhered to the philosophy of the film shooter who captured the image and presented it without alteration except for minor sharpening and color correcting. I concluded by saying that digital cameras were presenting new and valued advances if used with honesty. Newbert concluded that digital systems marked the death of photography, as it had been known historically. Actually, it turns out we were both right.

### Then to Now

Today, new and improved camera models are introduced so quickly on the heels of their predecessors that state-of-the-art may last 30 days or so before another innovation is released. Is it worth chasing the new advances ad nauseam?

When I wrote the 2005 article, I had been shooting Nikon's D100 for nine months. It was rated at six megapixels and entirely suitable for professional magazine use, for spreads up to 12 x 16 inches and larger prints. I invested more than \$10,000 in a couple of D100 bodies, some new lenses, and a great underwater housing from Subal. I had owned the system for just a week when Nikon announced it had discontinued the D100 for a new D200 and upped the Meg-rating a bit. Of course, it also relocated half the camera body's controls so it

would not work in my pricey Subal housing. So I stuck with my D100 and was happy with its performance.

In 2007, I began lusting for more resolution and almost plunked down the cash for a D200 and new housing, but then went on a dive trip and when I got back, the D200 had disappeared as fast as my hairline, and a new D300 had rolled out. Now Subal had to engineer a new housing to accommodate yet another series of control function relocations. It appears that no camera manufacturer can resist the urge to reformat every new

## *To The Very Depths: Peter Bennett's Family Album*

A close friend and a well-published writer handed me his autobiography not long ago. I was surprised he had self-published it and asked why. He laughed. "Hell, I'd never show this thing to my publisher. It's an advertisement for myself, intended for my grandkids and their kids, and a few friends who will indulge me, like you. I'd be embarrassed if anyone else read it."

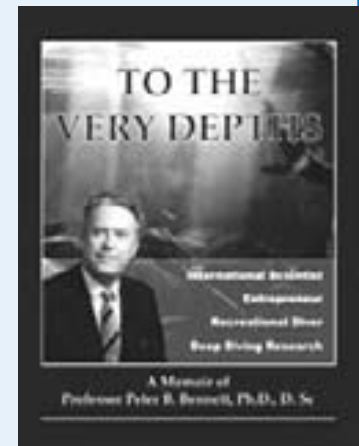
I wish my friend had been able to give his wise counsel to Dr. Peter B. Bennett before he published his autobiography.

Bennett was the first president of Diver's Alert Network (DAN), and led it through its formative years. Carrying a Ph.D in anesthesiology, Bennett has contributed decades of research about human physiology under pressure, including important work on decompression, narcosis, mixed gases ... a very long list. He has an impressive resume. Oddly, in face of overwhelming data and support about the value of nitrox, he was about the last man standing in opposition to sport divers using it. It's fair to say that anyone who straps on a tank and goes diving owes something to Bennett's research.

What you don't owe him, however, is to read his just-published unfortunate memoir *To the Very Depths*, which is filled with self-serving passages and self congratulations, plus a 45-page personal defense of his struggle to retain his seat as chairman of DAN. Seven years ago, the DAN board voted to throw him out, amidst conflict of interest and other issues. Rather than step down graciously, he spent hundreds of thousands of dollars of DAN's money defending himself, finally departing in 2003 with an orchestrated resignation. Most of the dive community has forgotten about that vain battle, and Bennett is now president of the Underwater Hyperbaric Medical Society. So why he decided to devote a quarter of his book to the DAN fight to try to prove once again that he was right and the board was wrong is anybody's guess. But his smug one-sided defense, with no prosecutor to challenge him, should have been left on the cutting-room floor.

When Bennett discusses his research, a student of diving physiology might keep reading because his work was indeed

interesting and influential. However, he intersperses his book with photos that are best kept in a family album – his grandmother, his first house in England, trophies he has been awarded, buildings he worked in, a congratulatory letter from Ronald Reagan, grave-stones of deceased relatives. And the glowing introduction is written by his son. Boy, I wish he had listened to my friend.



The remainder of the book is a walk through his life -- such as how his English parents had never planned for him, nor the twin who was born first. It culminates in a 25-page list of everything (yes, everything) he's ever published, including his master's thesis, as well as his awards, honors, memberships in professional societies, and even a letter to the editor and two management courses he took. One would think he was applying for a job. And then there is that "history" of DAN, which he abruptly ends at the year of his resignation, 2003, as if DAN disappeared when he left.

Yes, Dr. Peter B. Bennett is among the pioneers in diving physiology research, and his life might be worthy of a book, but it would need an unbiased storyteller to make it worth reading.

*To the Very Depths; a Memoir of Professor Peter B. Bennett, Ph.D., D.Sc.* (Best Publishing, 2008) is \$21.95 and available by going to [www.undercurrent.com](http://www.undercurrent.com) and clicking on the Amazon icon. On the Amazon website, you can read a review of the book by Chris Bennett, who doesn't disclose he is Dr. Bennett's son. All profits from our sale of the book go to preserve coral reefs.

-- Ben Davison

body that comes out. That's no big deal to topside photographers but a colossal new cost for those of us who need to house the damn thing and take it underwater.

I learned several valuable lessons in the last three years. First, there will always be a new camera that purportedly renders your old one obsolete. Second, that new camera will always be released within days after you bought the earlier version – and the \$7,500 underwater housing you bought won't work with the new one. Third, unless you have a professional assignment that requires massive image enlargements, your camera in the 6- to 8-megapixel range will do just fine, even for magazine work.

### **Enlargement Prints**

You see, I had swallowed the myth that you could not make magazine-quality enlargements bigger than 11 x 14 inches from a 6-meg camera. Then, I happened into a friend's portrait studio and was admiring his collection of 30 x 40 portrait shots. Turns out, he had made them with a D100 body. "Like you," he said, "I was told these were limited to small prints when the D200 came out. But one day I burned a CD with some image copies converted to JPEGs and had a local camera store make huge prints from them. You tell me if you can see any flaws."

I got a magnifier and couldn't find flaws. The 30 x 40 images looked to be as good or better as any made from 35mm slides and even large format film negatives. Contrary to some articles I've read, a well-shot, sharply-focused, 6-meg image from a digital file will go even bigger than 30 x 40 inches.

Since then, I've sold dozens of 30 x 40 prints for up to \$1,500 each, and all were derived from the "inferior" old D100 in its Subal housing. And for presentations via digital projectors to large groups, 6-Megs does just fine in KeyNote and other "slide dissolve" programs.

Will I eventually trade up? Yes. In fact, I already have. I longed for the portability and convenience of the "point-and-shoot" cameras so ubiquitous these days, so I recently bought a Fuji 12-megapixel camera. It has an internal lens ranging from moderate wide-angle to telephoto, and is the size and weight of an I-Pod. It cost less than \$400, including a 2-GB memory card that holds more than 800 images! I've already used it countless times for professional work topside, and I love it. I can use it in auto-mode or take manual control of it for different applications. There are so many "auto" settings embedded, that I can take advantage of ambient light situations never possible with film, and employ special effects only attainable with a film camera by carting along a bag of special-purpose filters.

So, if you think you need the latest stuff and can afford the financial outlay, then go for it. Your local underwater housing outfitter will love you, and no doubt you'll benefit from features that I haven't even discovered yet. But remember: digital cameras are pushing 30 megapixels in resolution. Why? And just how much do you want to spend?

### **An Unforeseen Benefit**

Digital cameras are one of the biggest things keeping people interested in diving. Now divers can take damn good photos underwater without an apprenticeship lasting longer than astronaut training for a Mars voyage. Underwater photography used to be hard and unforgiving. Hand a Nikonos to the average diver and even with excellent class instruction and hands-on coaching, results were piss poor at best for most shooters. How many tedious slide shows did you have to sit through at friends' houses or on dive trips? I'd rather be waterboarded than endure another session of "Fred's Excellent Diving Adventure."

Digital systems with their instant feedback underwater via the LCD screen and later review on a laptop allow amateurs to sometimes come back with better images than the pros. Digital cameras are more forgiving with exposures, especially in natural-light situations. Now I'll gladly sit down and help a new photographer review his shots on the computer screen. They quickly learn to hit the delete button and hone the craft of composition. Style is still a fleeting mystery for some but the nuts and bolts of achieving a useful image are greatly enhanced.

### **The Bottom Line**

Newbert was right: Photography as we knew it is dead. And it's not coming back. Old film cameras now have so little value that it's not even worth paying to ship them to a buyer. Almost all magazines and art designers want photo submissions now in digital formats.

And I still have no patience for artificially and fraudulently manipulated images derived through computer programs. That's not art or photography any more than loading up Madden Football on your computer is like getting tackled for real in the NFL.

But a lot of changes are for the better. Great photography is no longer for an elite cadre of dedicated craftsmen. It's within reach of all divers through innovations in digital cameras. It may not produce another Chris Newbert or David Doubilet, but it will enrich those divers' lives and perhaps some others to find an appreciation for the underwater world that previously would have been missing.

I appreciate Newbert's perspective as well as revere his incredible talent. I come from the same old-school experience of long-suffering hard knocks to achieve success. But just like I discarded my dive tables long ago for a modern diving computer, I'm willing to embrace digital imaging as a welcome innovation that deserves its place at the table.

But I won't be buying the latest-model camera when it's released on Monday. I'm still trying to read the 300-page manual from my last one.

*Bret Gilliam began diving in 1959 and has been involved professionally in virtually every phase of diving since 1971. He was the publisher of Scuba Times and Fathoms magazines, and is the author or contributor to 38 books. He can be reached at [bretgilliam@gmail.com](mailto:bretgilliam@gmail.com).*

# Flotsam & Jetsam

**Avoid Camera Disaster with a “Leak Detector.”** Australian photographer Jeff Mullins has designed a “Leak Detector” for underwater digital camera housings. A small sensor gives early warning of the slightest moisture gathering inside your housing. The electronic circuit triggers a high-intensity LED placed near the camera’s LCD screen, alerting you to impending disaster and giving you time to ascend before disaster strikes. Cost is \$70; [www.uwleakdetector.com](http://www.uwleakdetector.com).

**Oxygen Deprivation.** Why can’t Greta Van Susteren of Fox News get it right? On May 27, when talking about the alleged underwater murder of Tina Watson by her husband Gabe in Australia (see our July 2007 issue), she asked her interviewee, “And I take it she had sufficient oxygen for the dive?” She did it again on June 23, when she said, “I guess the theory the prosecution has is that he removed oxygen from her or cut off oxygen some way?” CNN’s Nancy Grace gets bad marks, too. She reported on June 23 that “police believe [Tina’s] brand-new husband, after a dream wedding, allegedly bear-hugs her, and turns off the oxygen valve to her tank.”

## Is the Dive Industry Behind Change?

It is regularly surveyed by the Cline Group, a research and marketing firm, which asked this question in July: “If you had to choose today, which of the two main U.S. presidential candidates do you believe will be the best for the diving industry, and your individual business, for the next four years?” Of the 317 dive businesses that responded, the results were: John McCain, 40 percent; Barack Obama, 20 percent; No Answer, 40 percent.

**Two Divers Fake DCI - - in 37 Other People.** David Welsh, 49, and Michael Brass, 43, were found guilty of swindling the United Kingdom’s National Health Service out of \$500,000 for treatment of bogus cases of the bends. The two worked as divemasters in Plymouth, England and paid 37 strangers they met in pubs around \$350 each to pose as divers needing decompression treatment, then billed the NHS around \$12,000 for each fake victim. The four-year scam was easy to carry out because the NHS didn’t check the claims’ validity other than to verify personal details of the “patients” and whether they were registered with physicians. Wonder how long it would take U.S. health insurers to find out.

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