



**AFFIDAVIT of DAVID COUSENS in support of
SPRUCE HEAD FISHERMEN CO-OP's APPEAL of DEP DECISION**

1. My name is David Cousens and I live at 343 Waterman's Beach Road, South Thomaston, Maine.
2. Everything stated in this affidavit is the truth, stated under oath, and is based upon my personal knowledge.
3. I was born in Rockland, Maine in 1957.
4. I was the President of the Maine Lobstermen's Association for 27 years, from 1991 to 2018.
5. I was President of the Lobster Advisory Council throughout the 1990's.
6. I'm currently the President of the Spruce Head Fishermen's Co-op, which has approximately 40 lobstermen.
7. A few years back we went through the process of working with the State of Maine to establish our property as Working Waterfront. We have provided covenants to the State of Maine promising to keep the property that we own as Working Waterfront.
8. I've been fishing with the Co-op since 1995; prior to that I had my own wharf.
9. I've known the layout of the Co-op and Atwood's Lobster (Now Maine Lobster or Mazetta) since the late 1960's.
10. Attached to this Affidavit is a GoogleEarth aerial screenshot showing the short distance between our ramp and floats and Atwood's wharf (inside the yellow line).
11. In the area along the shore in front of our property is a granite bulkhead where we load and unload traps and load bait.

12. Currently, due to the tight distance between Atwood's wharf and our loading area, loading and unloading is very challenging, especially in bad weather, but it can be done with experienced boat handlers.
13. Atwood's application to the DEP proposed a brand new permanent extension 10 feet 9 inches out in front of their property.
14. The practical effect – if Atwood's was allowed to expand their shorefront bulkhead almost 11 feet out into the water – **would be to completely prevent our boats from navigating into our loading area.**
15. If the Application is approved as currently configured, it would make it impossible for us to continue to operate. We would go out of business.
16. All 40 members of our Co-op use our loading area for basic lobstering activities, including loading and unloading lobster traps and loading bait. We have no other place to do it.
17. We have approached Atwood's about simply modifying their application to remove the abutment proposed between our property line and their first wharf (the 10 foot 9 inch expansion) and Atwood's has refused to discuss a compromise or resolution.
18. We have no agreements with Atwood's about use of their wharf or float system or anything else.
19. I had expected that the DEP would allow the Co-op to provide testimony at a public hearing related to the Atwood's proposal given that their proposed expansion will shut us down.
20. We have a professional engineer, Michael Sabatini, who provided an overlay exhibit which shows how Atwood's proposal violates our littoral rights and would make navigation to and from our loading area impossible. We expected that he would be able to testify at a public hearing as well.
21. We're shocked and disappointed at the process thus far and hope that the Board allows the Co-op to provide evidence so that the Board can make a fair decision. Thank you.

Dated: 2.4.26


David Cousens

STATE OF MAINE

Knox County

February 4, 2026

Personally appeared the above-named DAVID COUSENS and made oath that the following statements by him are true.



Notary Public/Attorney at Law
PATRICIA MAUR

Printed Name
N/A

My Commission Expires



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 Untitled map
 Patrick Mellor

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Google 100% Data attribution 6/24/2024

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Camera: 285 m 43°59'46"N 69°