

ATV Watch

From: "ATV Watch" <Andrew@ATVWatch.com>
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Sent: Tuesday, July 24, 2007 10:30 AM
Subject: Right to Know Request

ATV Watch New Hampshire
PO Box 34
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ATVWatch.COM (603) 785-7722

July 24, 2007

Mr. David Brillhart
 State of New Hampshire
 Department of Transportation
 7 Hazen Drive
 Concord, NH 03302

Dear Mr. Brillhart:

Federal Statutes prohibit the use of wheeled ATVs on Transportation Enhancement (TE) funded rail trails. The State of New Hampshire is in violation of the Federal Statutes for including wheeled ATVs as an allowable use on the TE funded rail trails. The State has acknowledged that wheeled ATVs are prohibited but continues to refuse to comply with the Federal Statutes.

Under Article 8 of the New Hampshire State Constitution and under New Hampshire's Right to Know Law (RSA 91-A) I am asking to review all governmental records in the custody or control of the Department of Transportation (DOT) related to motorized use of New Hampshire's TE funded rail trails. This request includes, but is not limited to all of the documents which ATV Watch asked to be retained in our April 17, 2007 email to DOT. I am further requesting that DOT fully comply with the statutory requirement to retain and maintain in its custody all governmental records related to this issue.

The request specifically includes, but is not limited to, emails, letters, maps, reports, memoranda, and notes, including personal notes made in connection with the conduct of public business. It includes any electronic documents stored in "deleted" or "trash can folders" and any documents which DRED has in its custody even if the statutory retention periods for those documents may have expired. It also specifically includes any documents arbitrarily designated as confidential or attorney-client privileged which contain information which is not specifically exempt from disclosure.

In accordance with the requirements of Article 8 of the Constitution of the State of New Hampshire I am specifically requesting any document which may be categorized as a "draft" if that document has been circulated beyond the person who originally generated it.

If any documents are subject to disclosure in part, I am asking for those parts to be disclosed, even if those parts only identify a topic or party to whom the document was circulated.

If any documents are being withheld, please identify those documents on the basis of exclusion, by category, and retain all of those documents for future release as their nature changes from not subject to disclosure to subject to disclosure.

Sincerely,



Andrew Walters, Concerned Citizen and Director of ATV Watch