

ATV Watch

From: "ATV Watch" <Andrew@ATVWatch.com>
To: <RMaddali@dot.state.nh.us>
Cc: "John Shea" <Bonds@Monadnock.net>; <RICH.SIGEL@NH.GOV>; <tjameson@dot.state.nh.us>; "Jim Ryan" <jryan@metrocast.net>; <molly.kelly@leg.state.nh.us>; "Debora Pignatelli" <deb@debipignatelli.com>; <dbrillhart@dot.state.nh.us>
Sent: Monday, August 06, 2007 3:21 PM
Subject: Letter from NHDOT to FHWA - Right to Know Request

ATV Watch New Hampshire
PO Box 34
Fitzwilliam, New Hampshire 03447
ATVWatch.COM (603) 785-7722

August 6, 2007

Mr. Ram Maddali
 State of New Hampshire
 Department of Transportation
 7 Hazen Drive
 Concord, NH 03302

Dear Mr. Maddali,

I received your voice message this morning that the New Hampshire Department of Transportation (NHDOT) had not yet sent a letter to the Federal Highway Administration (FHWA) regarding seeking a waiver to allow ATVs on the TE funded rail trails. At the same time I was retrieving your voice message indicating that NHDOT had not sent the letter, I received a voice message from the Federal Highway Administration that they had received the letter from NHDOT and that it requested a waiver to allow ATVs on the rail trails.

NHDOT's letter to FHWA is dated July 30, 2007. On July 31, 2007 I was at the NHDOT office reviewing a partial release of the information I requested under New Hampshire's Right to Know law. This letter was not a part of the information released to me. Today, 13 days after my right to know request and 7 days after the letter was sent to FHWA, NHDOT indicated that the letter did not exist, but I now have a copy of that letter which was faxed to me by the Federal Highway Administration.

It is a tremendous, unjust and costly burden on the citizens of New Hampshire to have to chase documents from one agency to the next and to have to pry every document out of State agency hands with repeated requests. It is a further burden to have to seek and obtain State governmental records from third parties when those records are being withheld by State agencies in violation of the law.

The five day requirement to respond to right to know requests is to release documents, not to circumvent the intent of the law by responding within five days, that you will release the documents 45 days later.

Clearly, every day we are fighting for openness in government is a day that we are not dedicating our time, energy and resources to addressing conservation and climate change issues and the influence which dedicated ATV registration fees have on State policy development.

I would like to reiterate that NHDOT continues to be in violation of New Hampshire's Right to Know law. Please make available for review all documents in NHDOT's control in accordance with my previous right to know requests.

I have been keeping the Governor's Office posted on the issues in hopes that the Governor's office would established openness in governmental and ATV use on public lands as a priority in their busy agenda.

Sincerely,

8/10/2007

Andrew Walters, Concerned Citizen and Director of ATV Watch