



THE STATE OF NEW HAMPSHIRE  
DEPARTMENT OF TRANSPORTATION



CHARLES P. O'LEARY, JR.  
COMMISSIONER

August 22, 2007

JEFF BRILLHART, P.E.  
ASSISTANT COMMISSIONER

Mr. Andrew Walters  
ATV Watch New Hampshire  
PO Box 34  
Fitzwilliam, New Hampshire 03447

**Re: Right to Know Request**

Dear Mr. Walters:

I write in follow up to my correspondence to you dated July 30, 2007 on your right to know request. Specifically, you have asked to review all governmental records in the custody or control of the Department of Transportation related to motorized use of New Hampshire's Transportation Enhancement funded rail trails.

We have assembled a portion of the requested information, which is available to you by contacting Nancy Mayville at 271-2107 and setting up an appointment. Specifically, this information is gathered from:

- My project files
- Ram Maddali's files
- Bill Cass's files

Please be advised that this office is not releasing copies of preliminary draft correspondence which are not in their final form and were not disclosed, circulated, or available to a quorum or a majority of those entities defined under RSA 91-A:1-a. The drafts in question were prepared during the months of March, April, May, June and July 2007. This office is also not releasing copies of confidential attorney/client e-mail communications between attorneys within the Department of Justice and the Department of Transportation. The e-mails in question span from March 1, 2007 through August 17, 2007.

Additionally, this office is redacting portions of the following correspondence because the redacted portions contain privileged communications or personal notes:

- Memo dated April 20, 2007 from me to Ram Maddali
- May 15, 2007 memo from Ram Maddali to me
- Handwritten notes on a draft letter from Federal Highway Administration. The letter is being disclosed
- Handwritten notes on a letter from DRED dated February 15, 2007. The February 15, 2007 letter from DRED is being disclosed
- June 20<sup>th</sup> handwritten memo from me to Commissioner O'Leary
- Email from Christopher Morgan dated June 14, 2007
- Email from Ram Maddali to Katja Fox dated July 9, 2007

We are currently working on determining whether any additional emails pertaining to this request exist in electronic form and we will contact you as soon as the computer records become available, but no later than September 17, 2007 as noted in my original correspondence.

Sincerely,

A handwritten signature in black ink, appearing to read "David J. Brillhart". The signature is fluid and cursive, with a large initial "D" and "B".

David J. Brillhart, P.E.  
Assistant Commissioner

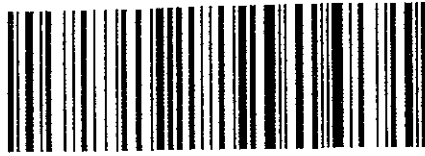
Cc: Honorable Representative Jim Ryan, Chairman, House Transportation  
Charles P. O'Leary, Jr., Commissioner  
Rich Sigel, NH Governor's Office  
Mark Hodgdon, Attorney General's Office

DEPARTMENT OF TRANSPORTATION  
AND COMMUNITY ASSISTANCE  
SERVICE

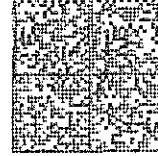
H 03302-0483

SERVICE REQUESTED

**CERTIFIED MAIL™**



7006 3450 0003 4597 5983



UNITED STATES POSTAGE  
EAGLE  
RUBEN BOWLES  
02 1M \$ 05.210  
0004238538 AUG 23 2007  
MAILED FROM ZIP CODE 03301

MR ANDREW WALTERS  
ATV WATCH NEW HAMPSHIRE  
PO BOX 34  
FITZWILLIAM NH 03447

03447+0034 B001



Name \_\_\_\_\_  
1st Notice 8-24-07  
2nd Notice \_\_\_\_\_  
Return \_\_\_\_\_