



To: **Sean Duffy: U.S. Secretary of Transportation**

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To: **Mitch Behm; Acting Inspector**

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Subject:

Call for rescission of INFRA Grant for The Humboldt Bay Harbor, Recreation and Conservation District Grant Dated January 23, 2024, and a return of unspent disbursed funds (see article 13.5 of attached INFRA grant terms and conditions) connected with misappropriation of said INFRA Grant Funds.

The undersigned organizations call for the return to the U.S. Department of Transportation any unspent disbursed INFRA funds awarded to the Humboldt Bay Harbor, Recreation and Conservation District in the amount of \$426,719,810 on January 23, 2024 and to terminate the awarded grant as a misappropriation of federal funds.

- Our requests are legally justified based on DOT internal mandates associated with the INFRA grant structuring..According to the INRA Grant eligibility guidelines grant projects must be " projects of national or regional significance to improve the safety, efficiency, and reliability of the movement of freight and people in and across rural and urban areas."

- Additionally, "To be eligible under INFRA, a project within the boundaries of a freight rail, water (including ports), or intermodal facility must be a surface transportation infrastructure project necessary to facilitate direct intermodal interchange, transfer, or access into or out of the facility and must significantly improve freight movement on the (National Highway Freight Network) NHFN."

- Further, Humboldt Bay is not a designated national multimodal freight network facility and is as such ineligible for any INFRA Grant funds. The Humboldt Grant is clearly designed to accommodate an non-existent floating offshore wind industry, and is defined as a heavy lift terminal capable of assembling and handling wind turbine components. Obviously the project meets none of the INFRA guidelines for grant approval

Notwithstanding the previous observations of the ineligibility of the Humboldt project you may want to consider this.... In section 6 of the previously referenced document (see attachment) describing INFRA grant terms and conditions, there is a clear avenue and justification for this action in the determination that the grant is not in the "public interest";. This is a broad statement and can be clearly demonstrated by the lack of viability of the floating offshore wind "industry", the failure of the proof of adequate funds to complete the funded project (see article 3.2 and 3.5), and the failure to meet many of the milestones for the project including procuring an acceptable development partner and various other funding infractions

There are ample reasons to terminate the Grant and to demand a return of unspent disbursed funds from the Humboldt Harbor District. We have attached numerous reference materials for your review and to expedite the decision to terminate the INFRA Grant for The Humboldt Bay Harbor, Recreation and Conservation District Grant Dated January 23, 2024.

As one last reason/incentive to review and terminate the Humboldt Grant we offer this; : "The President's Executive Order on offshore wind directs all Departments to assess prior approvals for deficiencies" and this offshore wind grant certainly meets that standard. We look forward to a timely response and welcome communication with the lead organization REACT Alliance's lawyer on this request.

Saro Rizzo via email at: saro@reactalliance.org

Thank you for your time and attention.

[https://uscode.house.gov/view.xhtml?req=\(title:49%20section:70103%20edition:prelim\)](https://uscode.house.gov/view.xhtml?req=(title:49%20section:70103%20edition:prelim))
<https://www.transportation.gov/freight-infrastructure-and-policy/NMFN>
<https://www.cfact.org/2025/04/28/maines-floating-wind-program-takes-another-hit/>
 Highway funds illegally used for floating wind factories – CFACT

Mandy Davis- President, REACT Alliance.

Gene Nelson, Ph.D. CGNP Senior Legal Researcher and President

Craig Rucker - President, CFACT

Saro Rizzo - NOAA and REACT Alliance lawyer

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