

SAN FRANCISCO PUBLIC GOLF ALLIANCE



235 Montgomery St., #400, San Francisco, CA. 94104 • 415-290-5718 • info@sfpublicgolf.com

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PRESS RELEASE

FEDERAL JUDGE DISMISSES ANTI-GOLF LAWSUIT AT SHARP PARK

SAN FRANCISCO. Judge Susan Illston on December 6 dismissed a federal court lawsuit aimed at closing the historic, San Francisco-owned Sharp Park Golf Course.

Brought by a covey of conservation groups led by the Tucson-based Center for Biological Diversity (CBD) and the Sierra Club, the lawsuit alleged that public golf operations at Sharp Park are killing rare frogs and snakes, in violation of the federal Endangered Species Act. Wild Equity Institute, Center for Biological Diversity, et al. vs. City and County of San Francisco, et al., U.S. District Court, N.D. California, No. C11-00958 SI.

Judge Illston cited an October 2, 2012 Biological Opinion issued by the US Fish and Wildlife Service ("FWS") that found golf at Sharp Park is "not likely to jeopardize the continued existence of the California red-legged frog or San Francisco garter snake." The FWS issued an Incidental Take Statement, approving continued golf and related maintenance activities, subject to FWS restrictions on pesticides, golf carts, water pumping, and other practices.

"This is a common sense result," said Chris Carr, of the Morrison and Foerster office, lawyers for co-defendant San Francisco Public Golf Alliance, which brought the motion to dismiss. "And it should lead to a period of cooperation in which San Francisco and San Mateo County can work together to restore habitat for the species, while preserving historic and popular public recreation."

Sharp Park was created by master architect Alister MacKenzie, who built many of the world's greatest golf courses, including Augusta National, home of the annual Masters Tournament, and the Cypress Point Club.

Long known as "the poor man's Pebble Beach," Sharp Park has been a Pacifica gathering place since its opening in 1932. It is the historic home of a middle-class and ethnic minority golfing clientele, and in 1955 hosted the inaugural tournament of the Western States Golf Association, one of the country's oldest and largest African-American golfing societies. Sharp Park is designated an "historic resource" under the California Environmental Quality Act, and recognized as historic by the Pacifica General Plan, the Pacifica Historical Society, and the Cultural Landscape Foundation of Washington, D.C.

Sharp Park has been the focus of a four-year political and legal tug-of-war between advocates of public recreation and historical preservation on the one side, and the environmental groups led by CBD on the other. In December, 2011, the San Francisco Board of Supervisors passed an ordinance calling for closure and conversion of the golf course into a frog and snake sanctuary. But the ordinance was vetoed by San Francisco Mayor Ed Lee, who in his veto message called for San Francisco and San Mateo County to work together for a "balanced approach" to save public recreation at the golf course, while recovering habitat for the species.

"With this important step behind us," said former Pacifica Mayor Julie Lancelle, "the dream of restoring the public treasure that is Sharp Park can move forward." Golf course preservation, combined with habitat recovery, is supported by San Francisco Mayor Lee, the San Francisco Recreation and Park Commission, unanimous resolutions of the Pacifica City Council and San Mateo County Board of Supervisors, and by Congresswoman Jackie Speier.

Contact:

Richard Harris: Richard@erskinetulley.com (415) 290-5718

Bo Links: bo@slotelaw.com (415) 393-8099

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