

# San Francisco Public Golf Alliance Moves to Intervene in Lawsuit Against Sharp Park Golf Course, Joining City and Mayor as Defendants

The dispute over the fate of northern California's historic **Sharp Park Golf Course** took a noteworthy turn May 19 with a move by the **San Francisco Public Golf Alliance** to legally intervene in the case. Filing its Motion to Intervene at U.S. District Court in San Francisco, the Alliance asserts that Bay Area golfers "have legally protectable interests in their use and enjoyment of Sharp Park."

Earlier this year, environmental advocacy groups, including the **Sierra Club**, sued the city, along with **San Francisco Mayor Ed Lee** and other officials, to shut the 80-year-old municipal course in the name of protecting endangered snake and frog species. But the Public Golf Alliance, with nearly 4,500 members, says no one has been looking out for the rights of Bay Area golfers who have made the links-style course an area landmark.

Environmental advocacy groups led by the Tucson-based Center for Biological Diversity and the Wild Equity Institute, filed suit on March 2, seeking to shut down the historic, 79-year-old seaside course in the name of protecting a frog and snake listed under the federal Endangered Species Act. The Sierra Club joined the suit for the limited purpose of protecting the animals, without specifically calling for closure of the golf course.

Renowned for its design by legendary architect **Alister MacKenzie**, and spectacular natural surroundings, Sharp Park is modestly priced to attract golfers of all levels from throughout the region. Among the course's frequent users are public high school teams, the Chinatown YMCA, various senior center golf teams, and other players.

Morrison & Foerster filed the motion in U.S. District Court for the Northern District of California, in San Francisco. The SFPGA represents a highly diverse group of Bay Area golfers, who "have legally protectable interests in their use and enjoyment of Sharp Park" that "cannot be adequately represented by any existing party" to the lawsuit.

The SFPGA's petition is based on supporting declarations from a diverse cast, including: Carole Groom, President of the San Mateo County Board of Supervisors; Kari Lee, Executive Director of the San Francisco Chinatown YMCA; Riley Jameison, a 90-year-old African-American golf pioneer and retired California Highway Patrol employee who for 20 years has hosted an annual tournament at Sharp Park benefitting San Francisco's Western Addition Seniors Services Center; Julius Yap, coach of the men's and women's high school golf teams at San Francisco's St. Ignatius Prep; Julie Lancelle, the recent-past Mayor of Pacifica; Herb Lee, a 78-year-old retired San Francisco police officer; and San Francisco favorite son and United States Open Champion Ken Venturi.

Created in 2007, the 4,500-member SFPGA contends that extensive studies undertaken by the City and County of San Francisco and others demonstrate that continued golf at Sharp Park "is compatible with protection of the San Francisco garter snake and California red-legged frog," the species at the center of the lawsuit. The SFPGA points to recent studies undertaken by City and County officials demonstrating that "it is not only possible, but very feasible" to accommodate golfers

and the two species in an improved Sharp Park environment.

Sharp Park's modest greens' fees, classic design, and spectacular scenery attract a diverse range of golfers from throughout the Bay Area, including public high school boys' and girls' golf teams, and fundraising golf tournaments for a wide variety of civic, business, and political organizations.

"Other public 18-hole courses in San Francisco and northern San Mateo County are either too expensive, too busy, or too hilly for the profile of low-income, racially diverse, juniors and seniors at Sharp Park," said SFPGA spokeswoman and Sharp Park Women's Club member Lauren Barr. "It is imperative that we preserve this historic public jewel. For nearly 80 years Sharp Park has served as an important recreational outlet and gathering-place for people of all economic means in our region."



Legendary British golf course architect Alister MacKenzie designed Sharp Park, which remains one of the few public courses he created. U.S. Open Champion Ken Venturi, the Honorary Chairman of the SFPGA, calls Sharp Park "Alister MacKenzie's great gift to the American public golfer." The Course opened in 1932, 15 years after the land was turned over to the City on the condition that it be used "only for a public park, or public playground."

Chris Carr, an environmental and land use partner at Morrison & Foerster, said, "This is an historically important course that upholds the best tradition of public access. Most golf courses with the heritage and location of Sharp Park would be exclusive private clubs and available to only a narrow sliver of the population. The Alliance is committed to the conservation of protected species while adhering to the original vision of Sharp Park as a course for everyone."

Mr. Carr, chair of Morrison & Foerster's Environment and Energy practice group and co-chair of its Cleantech group, regularly handles matters involving the federal Endangered Species Act, Clean Water Act, National Environmental Policy Act, and their California counterparts. Morrison & Foerster has a long history of supporting environmental causes in the Bay Area.

A hearing on the SFPGA's Motion to Intervene will be held on June 24, before Federal Judge Susan Illston of the San Francisco Division of the U.S. District Court for the Northern District of California.