

No injunction for Sharp Park Golf Course frogs

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Golfers and a threatened frog species appear to be coexisting at Sharp Park in Pacifica with help from the city of San Francisco, according to a federal judge who refused to scale back operations at the 81-year-old golf course.

Environmental groups sued to limit water pumping, mowing and golf cart use at the 417-acre oceanfront park.

They contend the golf course is ruining the habitat of the threatened California red-legged frog and the endangered San Francisco garter snake.

The injunction they sought would have halted pumping from a pond where frogs deposit their eggs, possibly flooding 10 of the 18 course holes during winter rains.

The plaintiffs said the shutdown would be partial and temporary, but the city and the San Francisco Golf Alliance said an injunction might have permanently closed the entire course. City supervisors, meanwhile, are considering whether to maintain the course and invest in improvements or convert it to parkland, perhaps by transferring it to the federal government.

In a ruling late Tuesday, U.S. District Judge Susan Illston said the environmental groups had failed to show the need for court intervention before their lawsuit goes to trial in July. She said there was undisputed evidence that the park's red-legged frog population has increased over the last 20 years.

The two sides disagree about the reasons. San Francisco officials said they have worked with the U.S. Fish and Wildlife Service to protect eggs and tadpoles from the pumps, have limited mowing and cart use, and have suspended golf play when threatened species are spotted nearby. Environmentalists say that the only improvements have been at nearby Mori Point and that Sharp Park habitat is still imperiled.

Regardless, Illston said, the gains by the park's frog population, and the city's "careful monitoring of water levels" and other conditions, eliminate any need for an immediate injunction.

She said there was little evidence that golf course operations were harming the San Francisco garter snake, which was last sighted in the park in 2008.

Illston could reach a different conclusion after next year's trial, where the plaintiffs say they will present evidence that the golf course and the water pumping are wrecking habitat for both creatures.

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"We've got hundreds and hundreds of (frog) egg masses" that are being destroyed by pumping that exposes them to the open air, said attorney Brent Slater, executive director of the Wild Equity Institute. "Our case is only going to get stronger."

Deputy City Attorney James Emery said Illston "recognized the careful stewardship that (the Department of Recreation and Park has implemented" and has given the city more time for a "policy decision on how that property should be used."

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