

Fish and Wildlife and Parks, said that such a law would focus attention on the Nation's valuable estuarine areas and provide a reasonable means for protecting and developing these areas.

"Estuaries are places where salt water meets fresh water," Dr. Cain said. "These marginal sea and land complexes make the estuarine areas a habitat rich in many valuable natural resources. At least 65 percent of our Nation's commercial fish and shellfish resources and most of our marine sport species inhabit the estuarine environment during all or part of their life cycle.

"Many of our valuable waterfowl use these areas as nesting and wintering sites. Estuarine areas attract recreationists for swimming, boating, bird watching, hiking or just an opportunity to enjoy the beauty of natural resources along coastal areas. It is such areas we wish to protect and preserve."

Basically the proposed legislation directs the Secretary of the Interior to conduct a thorough nationwide study to identify the estuaries of the country that need some form of protection or, in some cases, restoration. Following this identifying study, a more detailed look, probably on a regional basis, would determine which areas should be preserved, protected, or restored.

The detailed studies would consider estuaries from a standpoint of economic and recreational potential, ecology, present use, need for present and future urban and industrial development, the effect of such development, the effect of pollution on fish, wildlife, water supply, and waterpower, and the effects of dredging and filling.

A total of \$4.5 million would be authorized for these studies.

The legislation calls for State, Federal, or local government acquisition of estuarine areas that cannot be appropriately preserved by permits governing dredging and filling, local zoning laws or other legal methods.

The bill provides that State hunting and fishing laws will apply to estuarine areas administered by Interior, except in certain situations of conflict, such as public bathing beaches or other heavily used recreation areas.

One of the bill's most far-reaching aspects is a section prohibiting dredging, filling, or excavation work in an estuary or in the Great Lakes and connecting waterways without a permit issued by the Interior Department. At present, permits for such work are issued by the Army's Corps of Engineers which is charged with the responsibility for protecting navigation. A double permit system to protect navigation, plus the natural values of estuaries, would go into effect with enactment of the legislation.

And another section of the proposed legislation is designed to prevent pollution of coastal areas by governing dumping in estuarine areas or the Great Lakes.

In his letter, Dr. Cain emphasized that the bill is not designed to set up a system of "locked up" Federal areas.

"It is intended to provide protection where protection is clearly needed," he said. "We believe that this legislation, with these features, is timely and realistic and urge its enactment."

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CITY OF BALTIMORE, SCHNEIDER BEDDING COMPANY ET AL. v. NATIONAL ASSOCIATION FOR ADVANCEMENT OF COLORED PEOPLE ET AL.

(No. 87.)

COURT OF APPEALS OF MARYLAND, JAN. 22, 1960.

Zoning case. The Circuit Court No. 2 of Baltimore City, Joseph L. Carter, J., held rezoning ordinance void, and enjoined utilization of rezoned property for any use not permitted immediately prior to enactment of rezoning ordinance, and an appeal was taken. The Court of Appeals, Horney, J., held that since there was no proof of a basic mistake in original zoning or of a substantial change in character of neighborhood, rezoning was improper.

Affirmed.

1. Zoning

Even though it seemed clear that associations were not proper parties to zoning case, where no objection had been raised below, and there were several parties plaintiff who were property owners, reviewing court would not consider objections to associations' being parties.