

the harvest in Delaware and New Jersey between 1 May and 7 June each year to increase the number of spawning crabs available during the shorebirds' stopover period. The New Jersey Audubon Society considers the new rules "important, but not sufficient, steps toward saving the shorebirds." The Society advocates a total moratorium on crab harvesting in Delaware Bay until completion of a sound management plan. Future efforts will include seeking federal listing of the *rufa* subspecies as endangered, according to Eric Stiles (personal communication), the society's vice president for conservation.

Orchard Oriole Split Suggested

A new oriole species with two records in the United States appeared in the online supplement <www.ibispub.com/updates.html> to James F. Clements's *Birds of the World: A Checklist* in December 2003. It is Fuertes's Oriole (*Icterus fuertesi*), a Mexican population, which the American Ornithologists' Union currently classifies as a subspecies of the Orchard Oriole (*I. spurius*). Clements added *fuertesi* to his list after Jason M. Baker and four colleagues had suggested in July 2003 that it warranted status as a separate species based on genetic and other distinctions (*Auk* 120:848–859).

Fuertes's Oriole is an interesting bird. The adult male is a

copy of our familiar Orchard Oriole in North America, with one conspicuous exception: Where the plumage of *spurius* is chestnut, *fuertesi* is pale ochre (hence its alternate name Ochre Oriole). Other notable differences have been described in juvenal plumage and in song features, although females and first-basic alternate males of the two races are reported to be indistinguishable. In contrast to the widespread breeding range, long-distance migration, and extensive geographic winter range of *spurius*, the breeding grounds of *fuertesi* are restricted to Mexico's east coast from southern Tamaulipas to southern Veracruz, and it migrates only a short distance to similarly limited wintering grounds on the Pacific slope of Mexico from Guerrero to Chiapas. In contrast to our usual image of Orchard Oriole as a habitat generalist, Fuertes's Oriole is a habitat specialist whose typical breeding environment is shrubby coastal dunes.

Baker and his colleagues compared variation in the mitochondrial cytochrome-*b* gene and a mitochondrial control region. They found that the average genetic distance between *spurius* and *fuertesi* for both DNA segments was, in their word, "tiny"—only slightly greater than the average distances within each subspecies. Further, the data showed genetic intermixing between the two taxa, strongly suggesting that the two are not reciprocally monophyletic (i.e., they do not represent mutually exclusive evolutionary ancestries). Thus, recommending a split of the Orchard Oriole was not a clear-cut call. On the other hand, some gene frequencies differed significantly between the two groups, strongly suggesting little or no current gene flow between them. This pattern would be consistent with their disjunct breeding ranges, which approach closely in the states of Hidalgo and Veracruz but do not meet. In the authors' view, the two populations are "diagnosably distinct" in their breeding ranges and adult male plumage coloration, meaning that every individual can be assigned to one population or the other by those attributes, and the minimal genetic distance could indicate simply that their divergence was quite recent.

The only accepted records of Fuertes's Oriole north of Mexico are of two adult males in Cameron County at the southernmost tip of Texas. One was collected at Brownsville in April 1894 (R.W. Dickerman 1964, *Auk* 81:433), and the other maintained a territory for two summers near Arroyo City east of Harlingen in 1998 and 1999 (Mark Lockwood, personal communication). The Texas Bird Records Committee lists *fuertesi* as a recognizable subspecies that would qualify for the state list should it be elevated to species rank by the AOU, a step that has not been advocated in recent years by the AOU Check-list committee (J.L. Dunn, personal communication).



Shown here is a typical adult female Orchard Oriole. Or is it? Females of the Mexican race *fuertesi* are reported to be indistinguishable from those of the North American nominate subspecies. The *fuertesi* race, which has vagrated to Texas on at least two occasions, has been treated as a separate species by some authorities. Cameron County, Texas; April 2001. © Brian Small.