



**Florida Fish and Wildlife Conservation Commission**

June 5, 2012

Mr. David Cupka  
South Atlantic Fishery Management Council  
4055 Faber Place Drive  
Suite 201  
North Charleston, SC 29405

RE: Regulation of orange cup coral (*Tubastrea* spp.)

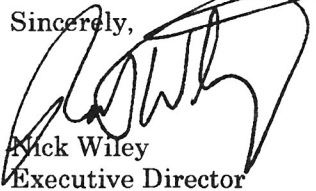
Dear Mr. Cupka:

At the recent South Atlantic Fishery Management Council (Council) Coral Advisory Panel (AP) meeting on May 9-10, 2012, the Coral AP approved a motion recommending that orange cup coral (*Tubastrea* spp.) be removed from the Council's Coral Fishery Management Plan (FMP). This action would allow this species to be harvested in federal waters of the South Atlantic and Gulf of Mexico. The Florida Fish and Wildlife Conservation Commission (FWC) recognizes that orange cup coral is present in federal waters off Florida, and participants of Florida's Marine Life fishery have expressed interest in commercial harvest of this species. However, FWC staff has several concerns about removal of orange cup coral from the Coral FMP.

FWC staff is concerned about the ability of both harvesters and law enforcement to distinguish orange cup coral from native coral species that are prohibited for harvest. FWC staff is also concerned that orange cup coral cannot be harvested without harvesting substrate to which it is attached. At this time, orange cup coral has only been found on artificial substrate in waters off Florida, but if these species become established on native reefs and harvest is allowed, native corals and reef substrate would likely be incidentally harvested and damaged. Finally, FWC regulations (Chapter 68B-42.009(1), Florida Administrative Code) prohibit possession of hard corals in or on Florida waters, including those harvested from adjacent federal waters.

FWC staff has discussed management of orange cup coral with Florida Keys National Marine Sanctuary (Sanctuary) staff. Sanctuary staff has similar concerns about allowing harvest of orange cup coral in Sanctuary waters. At this time, the FWC requests that the Council continue to include these exotic species in the Coral FMP, and continue to prohibit their harvest. This action would also avoid inconsistencies with management of this species in Florida.

The FWC looks forward to any further discussions on this item and continuing to work with the Council to manage our shared fishery resources in the South Atlantic. If you have any questions, please contact Jessica McCawley at 850-487-0554, or [jessica.mccawley@myfwc.com](mailto:jessica.mccawley@myfwc.com).

Sincerely,  
  
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Executive Director

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