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# Commercial fishing gear modification to reduce interactions between Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*) and the southern flounder (*Paralichthys lethostigma*) fishery in North Carolina (USA)

Juan C Levesque, Christian Hager, Eric Diaddorio, Jason R Dickey

Bycatch of protected species in commercial fishing operations is a primary concern to fishery managers because it threatens the conservation, protection, and recovery of fragile species, such as the Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*). One potential solution to reduce the risk associated with commercial fishing operations is to design commercial fishing gear that is more selective in terms of interactions between Atlantic sturgeon and commercial fisheries. Given the need to reduce commercial fishery interactions, the overarching goal was to reduce Atlantic sturgeon fishery interactions and maintain southern flounder (*Paralichthys lethostigma*) catch in North Carolina. The specific objectives of this study were to design and evaluate the effectiveness of a modified gillnet. Overall, the results proved that lowering the profile and amount of webbing had a beneficial impact at reducing Atlantic sturgeon encounters and bycatch. The modified gillnet reduced bycatch and Atlantic sturgeon encounters by 49.4% and 60.9%, respectively. We also found the modified gear entangled 51.6% less southern flounder, which corresponded to a 32% reduction in total weight; the experimental sections entangled slightly larger individuals than the control sections. Our findings showed the number of Atlantic sturgeon encounters was positively associated with mean water depth, with more Atlantic sturgeon encountered in deeper than shallower waters; 75% were encountered at depths between 4.6 and 6.1 m. In addition, we found that 41% of the Atlantic sturgeon encountered were in warmer (26–30°C) than colder water.

1 **Commercial Fishing Gear Modification to Reduce Interactions between Atlantic Sturgeon**  
2 **(*Acipenser oxyrinchus oxyrinchus*) and the Southern Flounder (*Paralichthys lethostigma*)**  
3 **Fishery in North Carolina (USA)**  
4  
5

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14 **ABSTRACT**

15 Bycatch of protected species in commercial fishing operations is a primary concern to fishery  
16 managers because it threatens the conservation, protection, and recovery of fragile species, such  
17 as the Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*). One potential solution to reduce the  
18 risk associated with commercial fishing operations is to design commercial fishing gear that is  
19 more selective in terms of interactions between Atlantic sturgeon and commercial fisheries.  
20 Given the need to reduce commercial fishery interactions, the overarching goal was to reduce  
21 Atlantic sturgeon fishery interactions and maintain southern flounder (*Paralichthys lethostigma*)  
22 catch in North Carolina. The specific objectives of this study were to design and evaluate the  
23 effectiveness of a modified gillnet. Overall, the results proved that lowering the profile and  
24 amount of webbing had a beneficial impact at reducing Atlantic sturgeon encounters and  
25 bycatch. The modified gillnet reduced bycatch and Atlantic sturgeon encounters by 49.4% and  
26 60.9%, respectively. We also found the modified gear entangled 51.6% less southern flounder,  
27 which corresponded to a 32% reduction in total weight; the experimental sections entangled  
28 slightly larger individuals than the control sections. Our findings showed the number of Atlantic  
29 sturgeon encounters was positively associated with mean water depth, with more Atlantic  
30 sturgeon encountered in deeper than shallower waters; 75% were encountered at depths between  
31 4.6 and 6.1 m. In addition, we found that 41% of the Atlantic sturgeon encountered were in  
32 warmer (26–30°C) than colder water.  
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36

37 **INTRODUCTION**

38 Bycatch in commercial fishing operations is one of the biggest challenges for fisheries managers  
39 tasked with conserving, protecting, and sustaining marine resources (Read & Rosenberg, 2002;  
40 Harrington *et al.*, 2005; Read *et al.*, 2005). The Magnuson-Stevens Fishery Conservation and  
41 Management Act (MSFCA 1996) defines bycatch as "...fish which are harvested in a fishery,  
42 but which are not sold or kept for personal use, and includes economic discards and regulatory  
43 discards..." In general, bycatch is defined as any marine organism that is incidentally captured in  
44 some type of man-made gear or equipment (e.g., gillnets, trawls, and hopper dredges), and  
45 discarded back to the sea; discarded marine organisms are either dead or alive. Unfortunately, the  
46 survival rate for most bycatch species that are discarded is poorly understood (Davis, 2002).  
47 Discarded bycatch usually has little to no economic value and consists of non-targeted and  
48 undersized marketable fishes, unmarketable species, or marine animals protected under the  
49 Endangered Species Act (ESA), Marine Mammal Protection Act (MMPA) or Migratory Bird  
50 Act. Bycatch of protected species in commercial fishing operations is a primary concern to  
51 fishery managers because it threatens the conservation, protection, and recovery of fragile  
52 species. Due to strict regulations, it can also impact the economic sustainability of commercial  
53 fisheries because fishery managers are often forced to prohibit specific fishing gears and  
54 techniques (e.g., offshore drift monofilament gillnets). Many protected species have small  
55 populations and low reproductive rates (Hall *et al.*, 2000); thus, even small levels of mortality  
56 may prevent population recovery or lead to extirpation (Secor *et al.*, 2002). One of the challenges  
57 for fishery managers is that most protected species display migratory behavior and undertake  
58 seasonal migrations that occur in conjunction with economically valuable commercial fisheries,

59 which compounds the problem (Lewison *et al.*, 2004). Overlapping spatial and temporal  
60 distributions increases the risk and often leads to elevated fishery interaction rates. One potential  
61 solution to reduce interactions between protected species and commercial fishing operations is  
62 engineering fishing gear that is more selective.

63 Bycatch has been identified as a problem in the United States through various legislative  
64 actions (e.g., MSA, ESA, MMPA), and substantial effort to reduce bycatch in commercial  
65 fisheries has been made over the last 20 years. However, most of the management and  
66 conservation measures have included time/area fishing closures, reductions in target quota, size-  
67 limits, fishing effort, and prohibition of specific fishing gear or fishing techniques (Harrington *et*  
68 *al.*, 2005). Recently, some progress has been made in modifying commercial fishing gear and  
69 practices (e.g., turtle excluder devices and circle hooks) as a method to reduce bycatch of  
70 protected species, but additional research in this field is essential so fishery managers can  
71 improve how they manage protected resources while still achieving, on a continuing basis, the  
72 optimum yield for commercial fisheries (MSFCA, 1996). In many ways, this is a difficult and  
73 even impossible task for fishery managers given the stringent (i.e., jeopardy, potential biological  
74 removal, and zero mortality rate goal) requirements of the ESA and MMPA. Adding to the issue  
75 is that commercial fisheries continue to evolve, grow, and emerge (Levesque, 2010), so fishery  
76 management problems constantly change.

77 Under Section 118 of the MMPA, commercial fisheries are re-classified every year under  
78 the List of Fisheries process (Category I, II, and III; level of incidental mortality or serious injury  
79 of marine mammals), and additional species are classified as threatened or endangered under the  
80 ESA, such as the Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*). In 2012, the National  
81 Marine Fisheries Service (NMFS) issued (6 February 2012) a final determination to list five

82 distinct population segments (DPSs) of Atlantic sturgeon as endangered under the ESA (FR,  
83 2012a,b): Gulf of Maine, New York Bight, Chesapeake Bay, Carolina, and South Atlantic.  
84 Despite this protection status, and a complete moratorium on possession of Atlantic sturgeon,  
85 these anadromous species are still incidentally taken as bycatch in various commercial fisheries  
86 along the east coast of the United States, especially sink gillnet fisheries (Wirgin *et al.*, 2015).  
87 Unfortunately, Atlantic sturgeon are particularly vulnerable to sink gillnets because they are a  
88 demersal species that feeds on benthic biota, such as polychaetes, crustaceans, and molluscs.

89         Given their anadromous life-history, Atlantic sturgeon are susceptible to numerous  
90 inshore commercial operations (Logan-Chesney, 2013; Dunton *et al.*, 2014) along the east coast  
91 of the United States, including commercial sink gillnet operations in North Carolina. In North  
92 Carolina waters, monofilament sink gillnets are used to target a variety of finfish (e.g., southern  
93 flounder [*Paralichthys lethostigma*]), which poses a threat to Atlantic sturgeon (Armstrong,  
94 1999). Available scientific information indicates that commercial fisheries targeting southern  
95 flounder routinely encounter Atlantic sturgeon (White & Armstrong, 2000; FR, 2012a, FR, 2012  
96 b). Data on Atlantic sturgeon bycatch in North Carolina commercial fisheries is limited, but  
97 researchers have reported that Atlantic sturgeon mortality in gillnet fisheries within Albemarle  
98 and Pamlico Sounds is between 0 and 19%, and possibly higher (Armstrong, 1999; White &  
99 Armstrong, 2000). According to White & Armstrong (2000), a single commercial fisherman in  
100 the Albemarle Sound incidentally entangled 131 Atlantic sturgeon while targeting southern  
101 flounder with gillnet gear during 1998 through 2000. Updated Atlantic sturgeon fishery  
102 interaction information, potential fishing gear/engineering solutions, or modifications in fishing  
103 practices in the North Carolina southern flounder fishery are currently unavailable. As such, the  
104 overarching goal of this study was to evaluate whether modifications to gillnet gear could reduce

105 Atlantic sturgeon interactions in the southern flounder fishery. The objectives were to evaluate  
106 the effectiveness of the modified fishing gear in reducing Atlantic sturgeon fishery interactions  
107 and maintaining southern flounder catch. The specific objectives were to (1) describe, examine,  
108 and compare the bycatch associated with using a modified (experimental) versus a traditional  
109 (control) gillnet; (2) examine, compare, and test for differences in the number and mean size  
110 (length and weight) of southern flounder between a modified (experimental) and a traditional  
111 (control) gillnet; (3) examine, compare, and test for differences in the number and mean size  
112 (length and weight) of Atlantic sturgeon between a modified (experimental) and a traditional  
113 (control) gillnet; and (4) examine the environmental conditions (water depth and temperature)  
114 associated with Atlantic sturgeon encounters.

115

## 116 **MATERIAL AND METHODS**

### 117 **Study area**

118 Based on historical fishing information, present commercial fishing effort for southern flounder,  
119 Atlantic sturgeon fishery interaction information, and recent discussions with state  
120 representatives and fishermen, we specifically conducted this study in Albemarle Sound, North  
121 Carolina (**Fig. 1**) near major rivers (Pasquotank, Perquimans, Chowan, Alligator, and Roanoke  
122 Rivers) to optimize the probability of encountering Atlantic sturgeon. We specifically selected  
123 this location because the largest Atlantic sturgeon commercial fishery once occurred in the  
124 Roanoke River, North Carolina (Kahnle *et al.*, 1998), and Atlantic sturgeon continue to be  
125 incidentally encountered by commercial gillnet fishermen targeting southern flounder  
126 (Armstrong 1999; White & Armstrong, 2000; FR, 2012a,b).



127  
128 **Figure 1. Map of the study area; Albemarle Sound, North Carolina (USA).**  
129

### 130 **Experimental and control gear specifications**

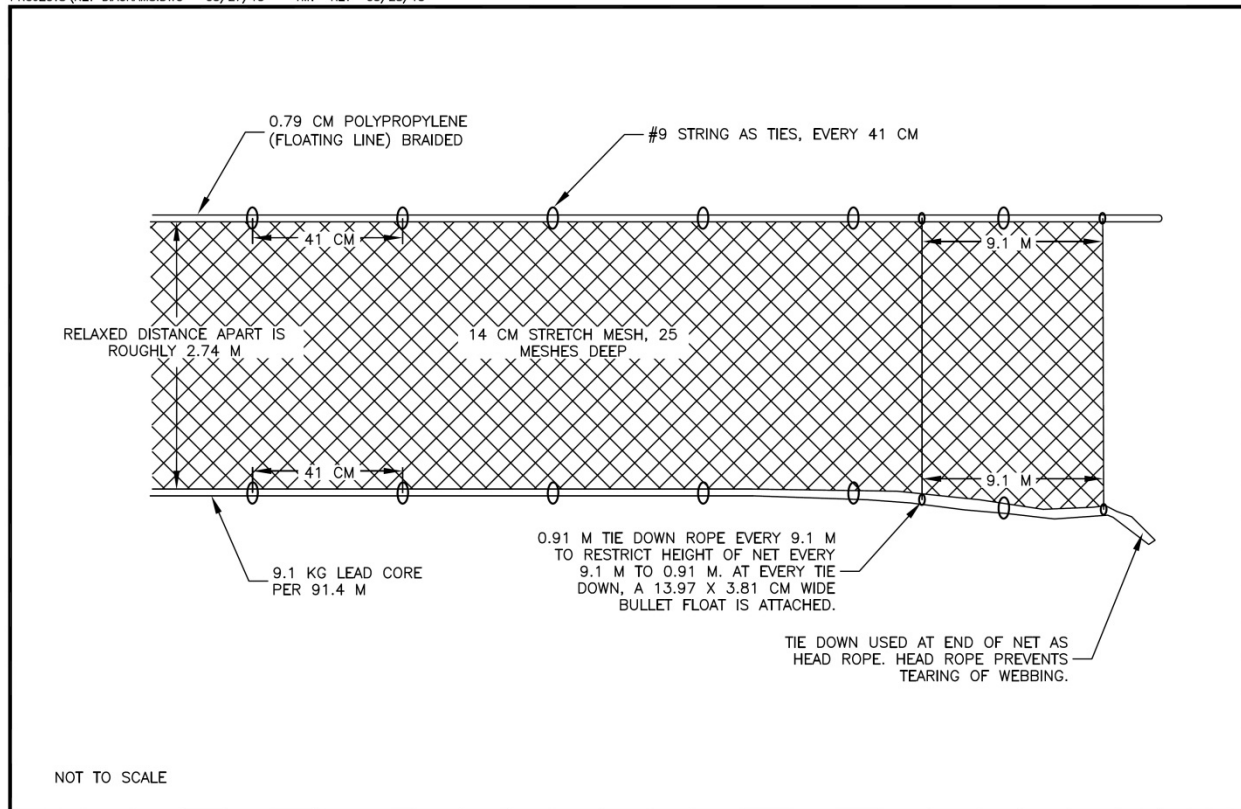
131 To standardize the gear, the net was constructed using traditional mesh size and lengths  
132 commonly used by commercial fishermen targeting southern flounder in Albemarle Sound  
133 (Armstrong, 1999; personal communication, Ms. Kathy Rawls, NCDENR; August 2012). It  
134 should be noted that the net and study were both designed prior to the release of revised  
135 commercial fishing regulations that prohibited the use of gillnets longer than 1,372 m (1,500  
136 yards in Albemarle Sound.

137 To ensure the gillnet was constructed using a typical technique for the region, a local  
138 experienced commercial fishermen was hired to construct the monofilament gillnet. The



139 monofilament gillnet was constructed with 30 equal length (91.4 m [100 yd]) panels or sections,  
140 and it was 2,743 m (3,000 yd) long. The configuration used an alternating pattern approach (15  
141 control and 15 experimental sections). Each control section was 91.4 m long, and it was  
142 constructed with 14.6 cm (5.75 in; 0.177 mm [diameter]) stretched mesh webbing hung on a  
143 49.3% ratio. The panels were 25 meshes deep with a fishing height of approximately 3.1 m (10  
144 ft) (**Fig. 2**). The section had 0.91m (3 ft) lines sewn in every 9.1 m (32.8 ft) that connected the  
145 leadline to the top or float line (tie-downs); 6 meshes per tie. The float line was constructed with  
146 0.79 cm (5/16 in) polypropylene braided line and 13.97 x 3.81 cm (5.5 x 1.5 in) floats were  
147 attached at the string ties every 9.1 m. The monofilament webbing was attached to the float line  
148 and leadline using #9 string ties every 41 or 43 cm (16-17 in). At the end of each section, a tie  
149 down was sewn into the webbing as a head rope, which prevented web tearing. The bottom line  
150 was constructed using a 9.1 kg (20 lb) per 91.4 m leadline.

151



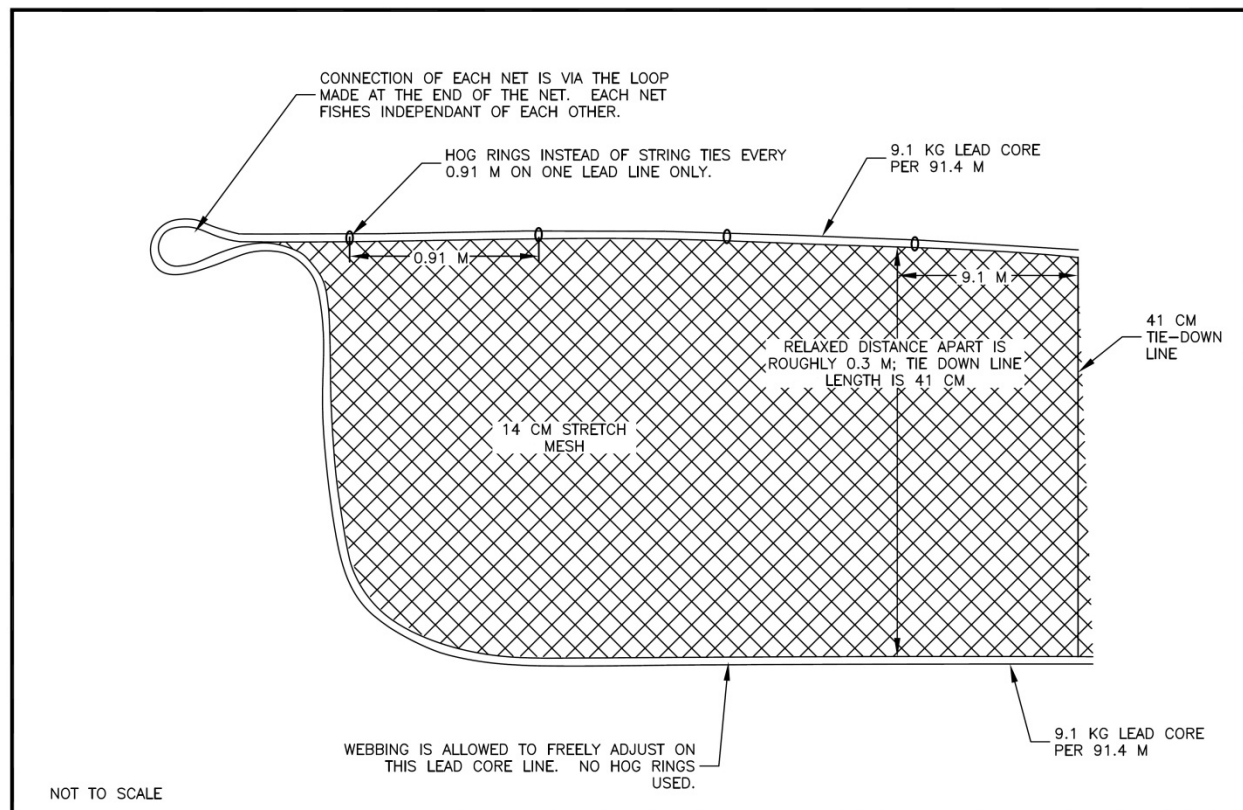
152  
153 **Figure 2. Control section gear specifications.**

154

155 The experimental sections were each 91.4 m long and constructed of 14.6 cm (5.75 in;  
156 0.177 mm [diameter]) stretch mesh hung on a 50% ratio. The panels were 15 meshes deep with a  
157 fishing height between 0.3 (1 ft) and 0.91 m (3 ft) (**Fig. 3**); the net's profile and amount of  
158 material was approximately 75% less than the control. The tie-down lines were 41 cm long and  
159 sewn in every 9.1 m. Unlike the control sections, the top line of the experiment sections was  
160 replaced with another leadline (i.e., double leadline) to reduce the net's profile; no floats were  
161 used on the top line. Hog rings instead of string ties were used every 0.91 m (3 ft) on one of the  
162 top lead lines. The top and bottom line of the experimental section was constructed using a 9.1  
163 kg per 91.4 m leadline. The monofilament webbing was hung through the lead core lines on the  
164 top and bottom rather than hung onto the net. One side was pinned every 9.1 m and the other side  
165 was allowed to free float on the opposite lead core line. Unlike a typical vertical wall

166 construction (i.e., control), the experimental section webbing was a mushroom or half-moon  
 167 shape, which reduced the height of the net. This design was based on the premise that reducing  
 168 the height (75% reduction in comparison to the control) or profile of the net would reduce  
 169 interactions with Atlantic sturgeon.

170



171

172 **Figure 3. Experimental section gear specifications. It should be noted that the**  
 173 **monofilament webbing in the experimental section did not hang in the water in a typical**  
 174 **mode (i.e., vertical wall), it was more like a half moon or mushroom shape.**

175

## 176 Field procedures

177 Mimicking Albemarle Sound commercial fishermen that target southern flounder, the gillnet was  
 178 mainly set around sunset and retrieved around sunrise. However, a few daytime sets were  
 179 conducted, but southern flounder catch rates were lower than nighttime sets so most of the  
 180 fishing effort occurred at night (i.e., overnight sets). The net soak duration varied with fishing

181 success and weather conditions, but it averaged almost 12 hours per set. The net was generally  
182 deployed parallel to shore, but the direction was somewhat contingent upon the wind, current,  
183 and tide conditions. Every time the net was deployed, the first panel was alternated between the  
184 control and experimental section to reduce any potential gear bias associated with distance from  
185 shore. The net was secured to the bottom using 6.8 kg (15 lb) Danforth anchors attached to each  
186 end of the net for the duration of the set.

### 187 **Experimental study design**

188 To optimize sample size and enable rigorous statistical evaluations of Atlantic sturgeon and  
189 target catch, field trials were conducted during August through October (2014). Fishing effort  
190 and techniques closely mimicked the commercial fishery to reduce any potential sampling bias.  
191 In North Carolina, commercial landings of southern flounder usually peak in September and  
192 October (NMFS, 2014); therefore, we primarily conducted focused our fishing effort during this  
193 period. However, because commercial fishermen sometimes target southern flounder during  
194 spring, a few sets were conducted during April, 2014.

195       Sample size (i.e., number of sets) was estimated using historical Atlantic sturgeon fishery  
196 interaction rates and standard power analyses procedures. To detect various corresponding  
197 reductions (control vs experiment) in Atlantic sturgeon retention rates (50–80%), we used the  
198 McNemar Test ( $\alpha = 0.05$  level); power curves were generated to estimate the number of sets  
199 based on net length. Power curves were based on the mean annual Atlantic sturgeon catch rate  
200 (0.03 sturgeon/914 m of net/24 hr soak) in Pamlico and Albemarle Sounds (NCDMF Observer  
201 Program [2001–2009] and White and Armstrong [1998–2000]). Applying this approach, the  
202 number of sets necessary to detect an 80% reduction in Atlantic sturgeon interaction rate was 70.

203 A matched pair design consisting of alternating experimental and control panels was  
204 employed and gear was randomly set within specific areas based on elevated historic Atlantic  
205 sturgeon interaction rates and discussions with local commercial southern flounder fishermen.  
206 The matched pair design helped ensure that both net types had the same probability of  
207 encountering Atlantic sturgeon and target species (i.e., southern flounder). Every time the net  
208 was set, the first panel deployed was alternated between the control and experimental. It should  
209 be noted that we used adaptive setting procedures by considering Atlantic sturgeon and southern  
210 flounder daily catches. For instance, gear was always set in ideal southern flounder and historical  
211 Atlantic sturgeon fishing grounds. Similar to standard commercial fishing techniques, the fishing  
212 location was altered if the catch was low. In general, fishing grounds were selected based on the  
213 environmental conditions (water temperature, depth, and current), discussions with local  
214 fishermen, and southern flounder fishing experience. Using adaptive procedures also helped to  
215 ensure that an adequate sample size was obtained to allow for statistical inferences about the  
216 efficiency of the modified gear in terms of reducing Atlantic sturgeon bycatch and retaining  
217 target catch; it also helped with reducing any potential Atlantic sturgeon encounter sampling  
218 bias.

### 219 **Field data**

220 The time, wind speed, wind direction, water depth, water temperature, and geographic  
221 coordinates (latitude/longitude) were recorded at the start and end of each set and haul. Catch  
222 (fish and crabs) was sorted, identified, and a representative sample was measured to the nearest  
223 millimeter in total length (TL). The corresponding net type (control and experimental) and panel  
224 section was recorded for the catch. Southern flounder and Atlantic sturgeon were weighed to the  
225 nearest kilogram and measured to the nearest millimeter in fork length (FL) and TL. Atlantic

226 sturgeon were carefully handled and released as quickly as possible at the site of capture. Other  
227 incidental bycatch were measured and released as quickly as possible. Protected birds and sea  
228 turtles were immediately removed from the net and released. Raw data were recorded on  
229 standardized data sheets and later reviewed for quality assurance by the field team lead, the  
230 Principle Investigator, and the data entry assistant. Data sheets were scanned, and then entered  
231 into Microsoft Excel®.

### 232 **Statistical analyses**

233 Total count, percent occurrence, and percent total catch were calculated for each taxa. More  
234 detailed descriptive analysis was conducted for southern flounder and Atlantic sturgeon.  
235 Distributions of catch were plotted by gear (control vs experimental) and species to assure that  
236 the most appropriate predictive models were used for analysis. All distributions were evaluated  
237 in terms of the best fit model: poisson, negative binomial, zero inflated negative binomial, or a  
238 zero-inflated poisson. If the criterion of normality was met, a one factor analysis of variance  
239 (ANOVA) or a paired *t*-test was used to compare the catch, catch-per-unit-effort (CPUE), and  
240 size (length and weight) with respect to total catch, target catch (i.e., southern flounder), and  
241 Atlantic sturgeon. However, if the data did not satisfy the criteria for normality or it could not be  
242 transformed (logarithm, square root, or arcsine square root), then non-parametric procedures  
243 (Kruskal-Wallis, Wilcoxon signed-rank, and Mann-Whitney tests) were applied to evaluate the  
244 data. Catch-per-unit-effort was calculated in two ways: 1) by the number of individuals per set,  
245 and 2) the by the number of individuals per one hour soak duration. Soak duration was defined as  
246 the elapsed time between the beginning of the set and haul; set time was the time the first section  
247 of the net was initially anchored. A Kolmogorov-Smirnov (KS) Goodness-to-Fit test was used to  
248 compare the distributions of Atlantic sturgeon and summer flounder (length and weight) by net

249 type. The KS test was performed by computing the maximum distance between the cumulative  
250 distributions of the two samples. The Chi-square Goodness-of-Fit test was used to examine the  
251 representativeness of the sample for various categorical variables (e.g., water depth and water  
252 temperature) assumed to have uniform distribution. The Chi-square test was used to test the null  
253 hypothesis that the frequency of observed Atlantic sturgeon encounters was equal to the  
254 frequency of expected Atlantic sturgeon encounters. The Chi-square test was applied following  
255 the guidelines of Koehler and Larntz (1980);  $k$  classes  $> 3$  (Zar, 1999). Firth regression was used  
256 to examine and evaluate probability of observing a positive catch of Atlantic sturgeon based  
257 upon a vector of covariates (net type, month, and water depth); firth regression is used to  
258 estimate parameter with small number of observations. All analyses were conducted using  
259 Microsoft Excel<sup>®</sup> and Statgraphics Centurion XVI<sup>®</sup> Version 16.1. Statistical significance was  
260 defined as  $p < 0.05$ .

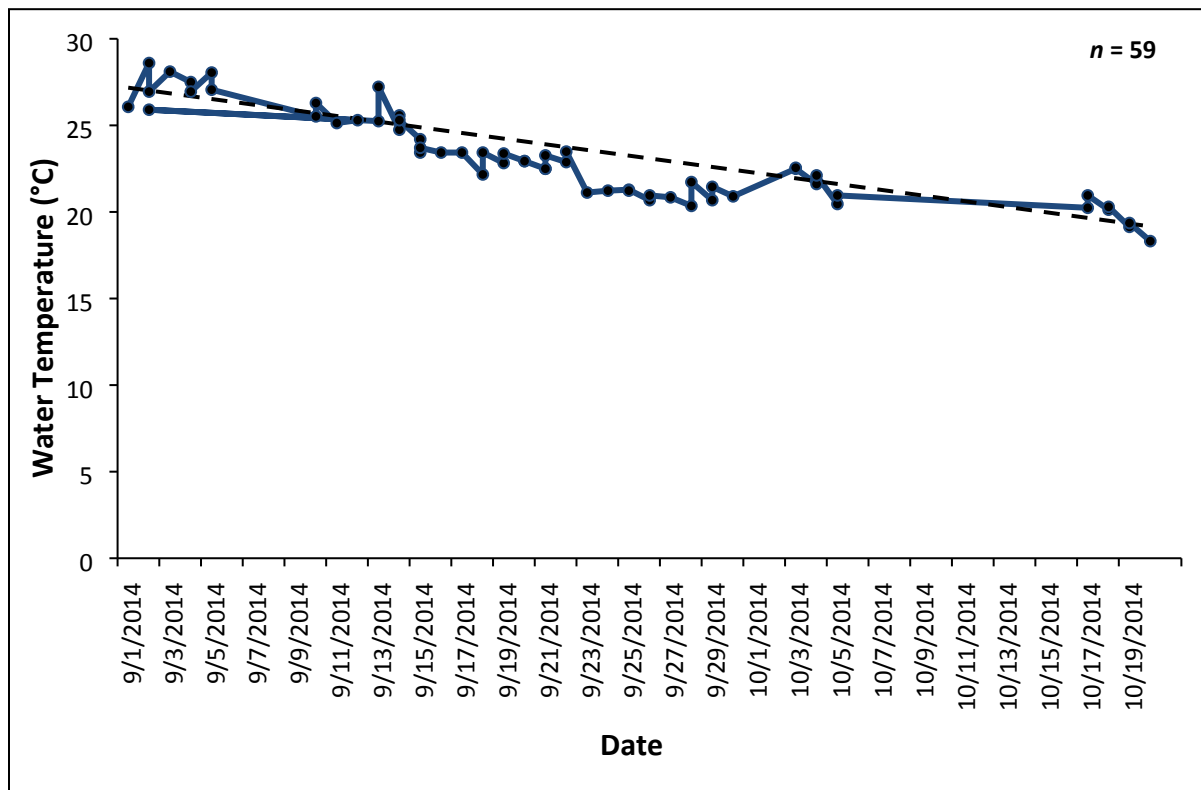
261

## 262 **RESULTS**

### 263 **Sampling effort and environmental conditions**

264 A total of 70 sets (1,050 match pairs) were conducted between April and October (2014)  
265 throughout Albemarle Sound Sound; many sets were associated with major rivers (**Fig. 1**). Nine  
266 sets were completed during 2–13 April, 2014, and another 61 sets were completed between 31  
267 August and 20 October, 2014. In total, 192.02 km (210,000 yd) of net was set over a 75 day  
268 period. The majority of the fishing effort occurred in September ( $n = 46$  or 66%). In April, the  
269 water temperature was between 10.6 and 15.4°C (51–59.8°F) and the water depth was between  
270 2.4 and 6.4 m (8–21 ft). The wind direction was generally north/ northeast, and the mean wind  
271 speed was 4.4 m/s (8.6 knts). In late-summer through fall (31 August–20 October), the water

272 temperature ranged from 18.5 to 28.9°C (65.3–84°F). As expected, the water temperature  
 273 decreased with time (Fig. 4).



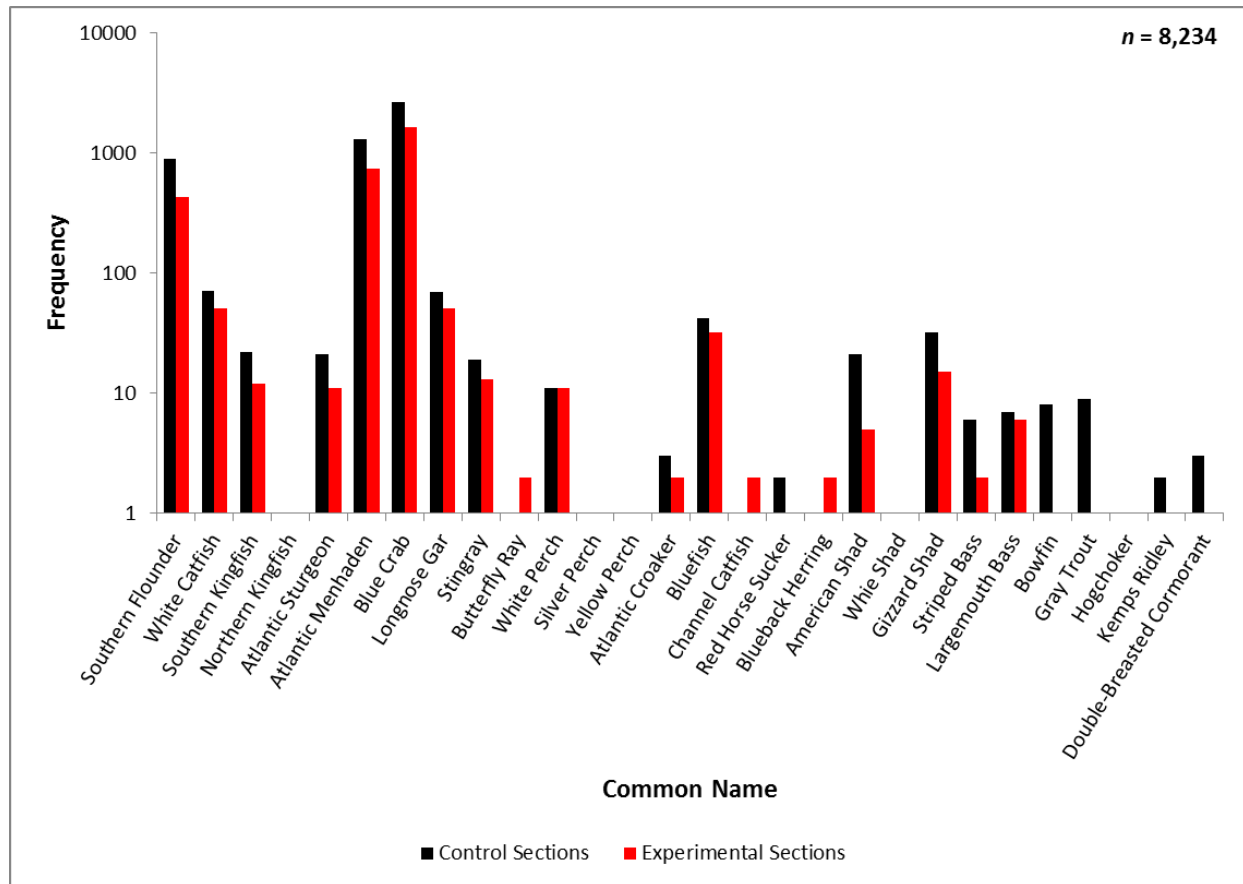
274  
 275 **Figure 4. Water temperature in Albemarle Sound Sound, North Carolina during 1**  
 276 **September through 19 October 2014.**  
 277

278 The water depth varied between 0.7 and 7.0 m (2.4–23 ft) with a mean of 13.5 m. The wind  
 279 direction varied somewhat from week to week, but most of the days it was from the northeast  
 280 direction ( $n = 31$  or 44%). The wind speed ranged between 0 and 12.9 m/s (0–25 knts) with a  
 281 mean of 5.7 m/s (11.1 knts). In general, it took about an hour to set the net and between 2 and 12  
 282 hours to retrieve the net, which depended on the catch and other circumstances. The net soak  
 283 time duration ranged from 11 hours 45 minutes to 31 hours 6 minutes with a mean of 23 hours 5  
 284 minutes. The net soak time duration was dependent upon the weather and other circumstances,  
 285 such as net tangles and the time it took to remove the catch from the net.

## 286 **Bycatch**



287 A total of 8,234 individuals representing 28 species were encountered in Albemarle Sound from  
288 April to October, 2014. The catch consisted of 3,775 fish representing 23 species, 4,303 blue  
289 crabs (*Callinectes sapidus*), 35 rays (stingray [*Dasyatis* sp] and butterfly ray [*Symmura*  
290 *micrura*]), 3 double-crested cormorant (*Phalacrocorax auritus*), and 2 Kemp's Ridley  
291 (*Lepidochelys kempii*) sea turtles. The control sections entangled 27 different species, while the  
292 experimental sections entangled 20 different species. The most numerically dominant fish were  
293 Atlantic menhaden (*Brevoortia tyrannus*) ( $n = 2,046$  or 54%), southern flounder ( $n = 1,310$  or  
294 35%), longnose gar (*Lepisosteus osseus*) ( $n = 129$  or 3%), and white catfish (*Ameiurus catus*) ( $n$   
295  $= 122$  or 3%) (**Fig. 5**). Overall, 66% ( $n = 2,506$ ) and 34% ( $n = 1,269$ ) individual fish were  
296 entangled in the control and experimental sections, respectively. Atlantic menhaden ( $n = 1,307$  or  
297 64%), longnose gar ( $n = 70$  or 54%), white catfish ( $n = 71$  or 58%), and blue crabs ( $n = 2,653$  or  
298 62%) were entangled primarily in the control sections. The control sections ( $\mu = 5.6$ ,  $\sigma_x = 24.05$ )  
299 entangled significantly more fish than the experimental sections ( $\mu = 3.2$ ,  $\sigma_x = 13.17$ ) at the 95%  
300 confidence level ( $t(922) = 6.06$ ;  $p < 0.05$ ).



301  
 302 **Figure 5. Total number of individuals collected by net type in Albemarle Sound, North**  
 303 **Carolina from April to October, 2014. Silver perch, yellow perch, white shad, and**  
 304 **hogchoker ( $n = 1$  per species).**  
 305

### 306 Target species

307 In total, 1,310 (845.5 kg) southern flounder were taken during April through October, 2014.

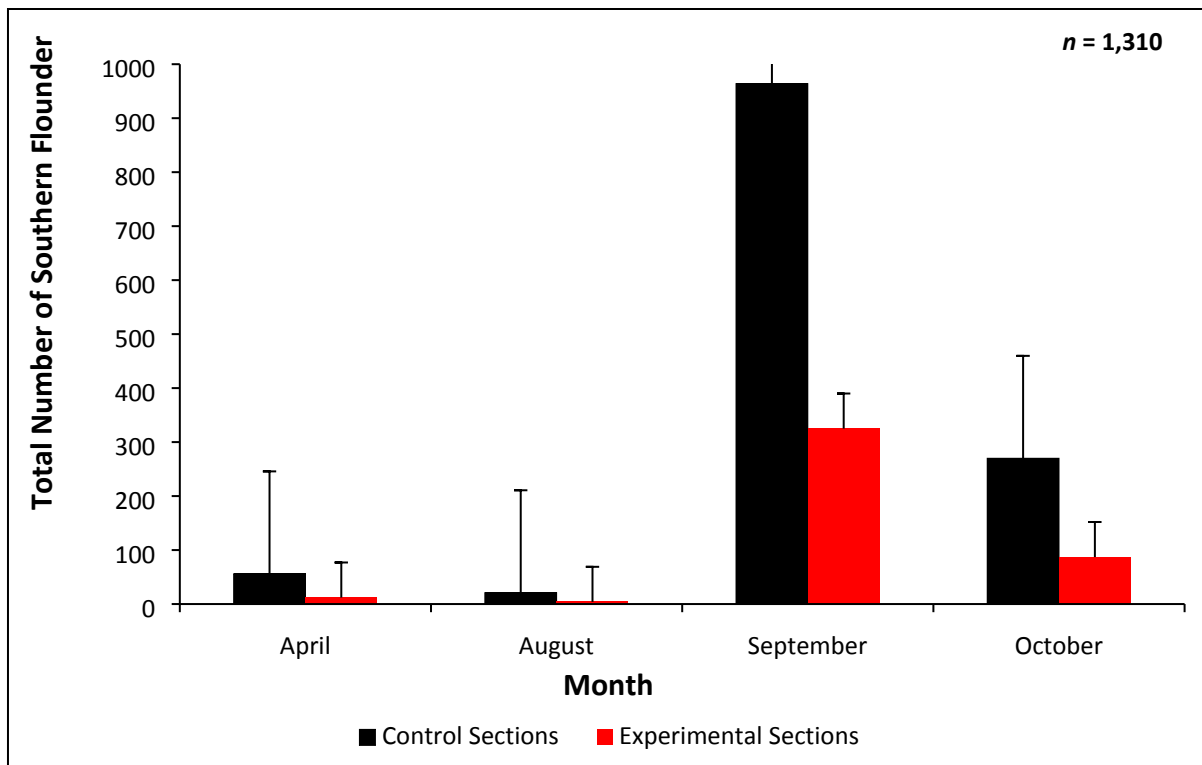
308 Most ( $n = 1,199$  or 92%) were collected from August to October, 2014. The total number of

309 southern flounder taken ranged from 0 to 13 per set with a mean of 0.71 southern flounder per

310 set. Monthly collections ranged from 21 southern flounder in August to 964 southern flounder in

311 September (**Fig. 6**). The monthly mean number of southern flounder taken by set ranged from

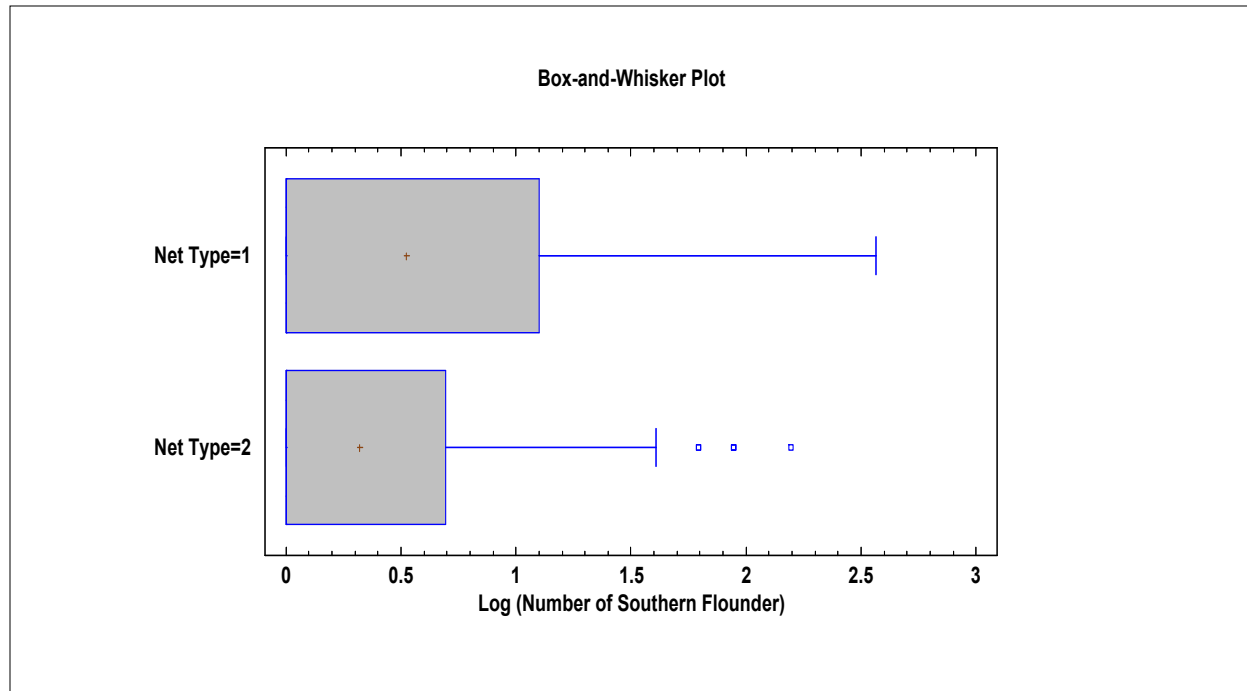
312 0.35 in August to 3.11 in April with a mean of 1.21 southern flounder per set by month.



313  
314  
315  
316

**Figure 6. The total number of southern flounder collected by month and net type in Albemarle Sound, North Carolina from April to October, 2014.**

317 The control and experimental sections entangled 67% ( $n = 883$ ) and 33% ( $n = 427$ ) individual  
318 southern flounder, respectively. Overall, the experimental sections entangled 51.6% ( $n = 456$ )  
319 less southern flounder than the control sections. The total number of southern flounder taken in  
320 the control sections ranged from 0 to 13 per set with a mean of 0.96 southern flounder per set.  
321 The total number of southern flounder taken in the experimental sections ranged 0 to 9 per set  
322 with a mean of 0.46 southern flounder per set. A paired  $t$ -test detected a statistical difference in  
323 the mean number of southern flounder taken by net type at the 95% confidence level ( $t(923) =$   
324  $11.18; p < 0.05$ ; **Fig. 7**).

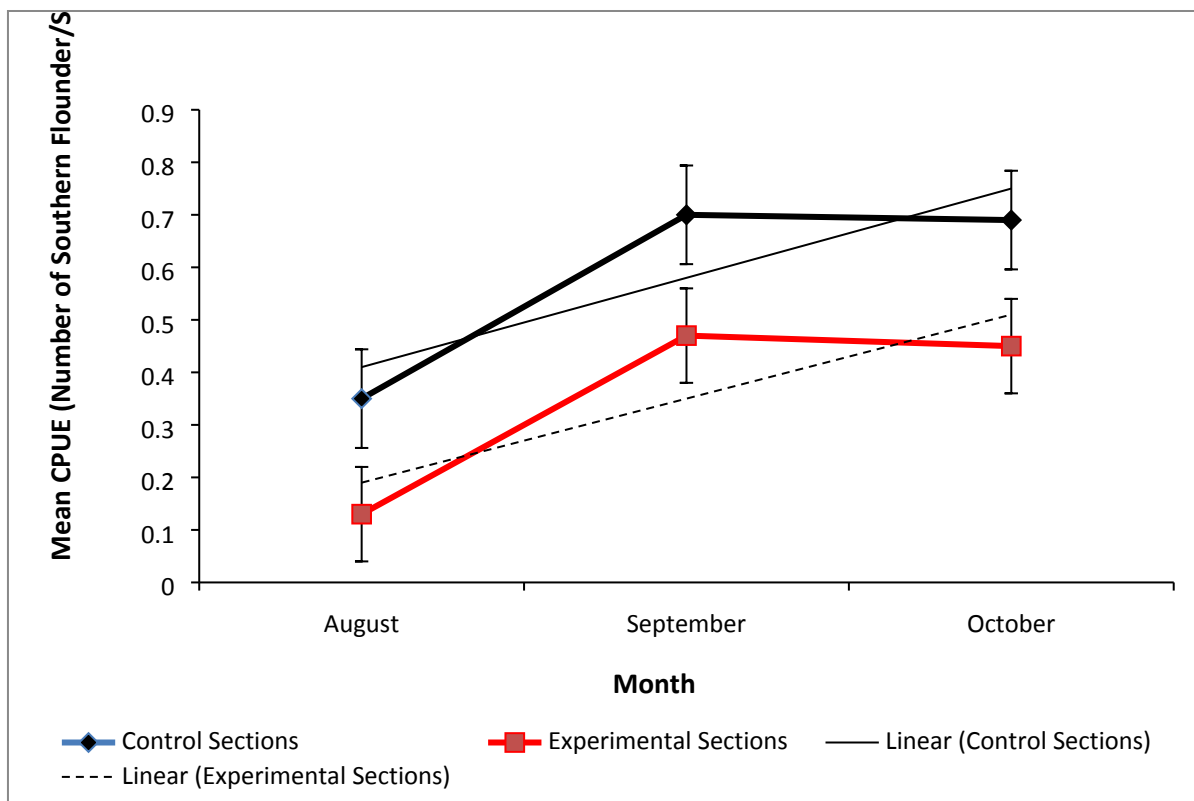


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**Figure 7. The log total number of southern flounder ( $n = 1,310$ ) collected by net type in Albemarle Sound, North Carolina from April to October, 2014. Net type 1= control, Net type 2 = experimental.**

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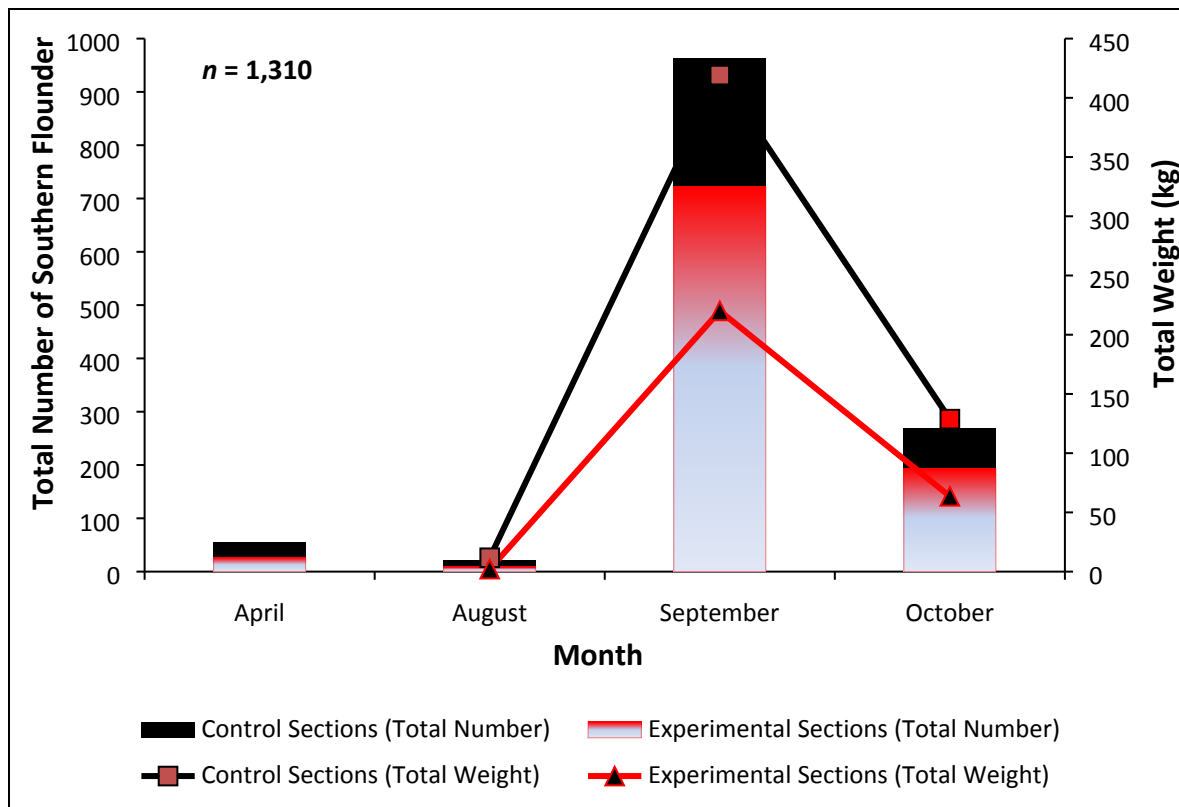
The control sections entangled 0.32 southern flounder/1 m gillnet, whereas the experimental sections entangled 0.16 southern flounder/1 m gillnet. The monthly mean number of southern flounder taken in the control sections ranged from 0.57 in August to 4.89 southern flounder per set in April. The monthly mean number of southern flounder taken in the experimental sections ranged from 0.13 in August to 1.33 southern flounder per set in April. A linear regression showed that mean CPUE (i.e., number of southern flounder/set) increased from August to October; the highest CPUE occurred in September for both the control and experimental sections (**Fig. 8**). Southern flounder catches in April were excluded from these analyses since only nine sets were conducted in spring; incorporating these data would have skewed the results since most of the fishing effort was conducted during August through October.



341  
342 **Figure 8. The mean CPUE (Number of southern flounder/Set) collected by month and net**  
343 **type in Albemarle Sound, North Carolina from April to October, 2014.**  
344

345 A paired *t*-test showed a statistically significant difference between the CPUE by net at the 95%  
346 confidence level ( $t(924) = 10.98; p < 0.05$ ). The total weight of southern flounder collected in  
347 the control section was 559.6 kg (66%), and the experimental section collected 285.9 kg (34%),  
348 which was 273.7 kg (32%) less than the control sections (**Fig. 9**).

349 Southern flounder price varied from \$2.00 in late-September, 2014 for medium size  
350 individuals to \$3.25 per 0.45 kg (pound) in August, 2014 for large size individuals. On average,  
351 commercial fishermen received around \$2.56 per 0.45 kg for southern flounder during April  
352 through October, 2014 in Albemarle Sound. Using the average price per 0.45 kg for southern  
353 flounder, the experimental sections entangled about \$1,341 less than the control sections over the  
354 duration of the study.



355

356 **Figure 9.** The total number and associated weight (kg) of southern flounder collected by  
 357 month and net type in Albemarle Sound, North Carolina from April to October, 2014.

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359 Southern flounder taken in the control section ranged from 0.2 to 8.3 kg with a mean of 1.08 kg.

360 The total length ranged from 231 to 500 mm with a mean of 371.9 mm ( $n = 39$ ). Southern

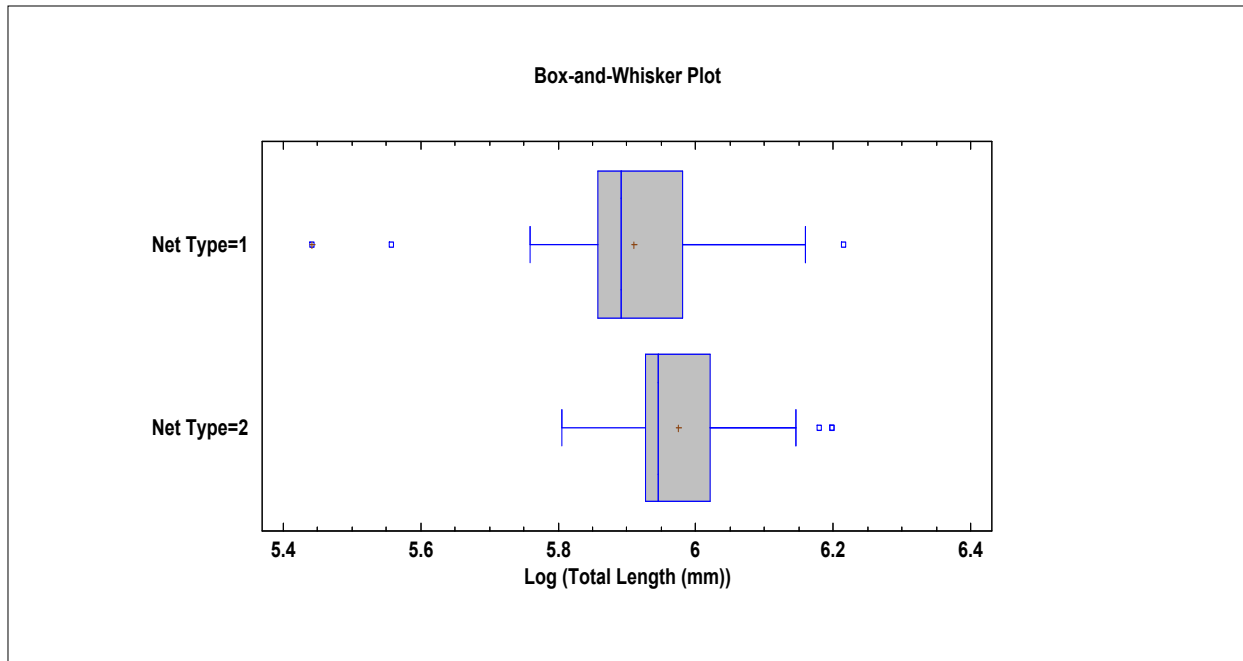
361 flounder taken in the experimental section ranged from 0.2 to 4.0 kg with a mean of 0.95 kg. The

362 total length ranged from 332 to 492 with a mean of 393.9 mm ( $n = 29$ ). A  $t$ -test showed a there

363 was a significant difference in mean total length by net type at the 95% confidence level ( $t(69) =$

364  $-2.13$ ;  $p = 0.03$ ; **Fig. 10**). In addition, a KS test detected there was a significant difference in the

365 length distribution of southern flounder by net type ( $D = 1.88$ ;  $p = 0.002$ ).

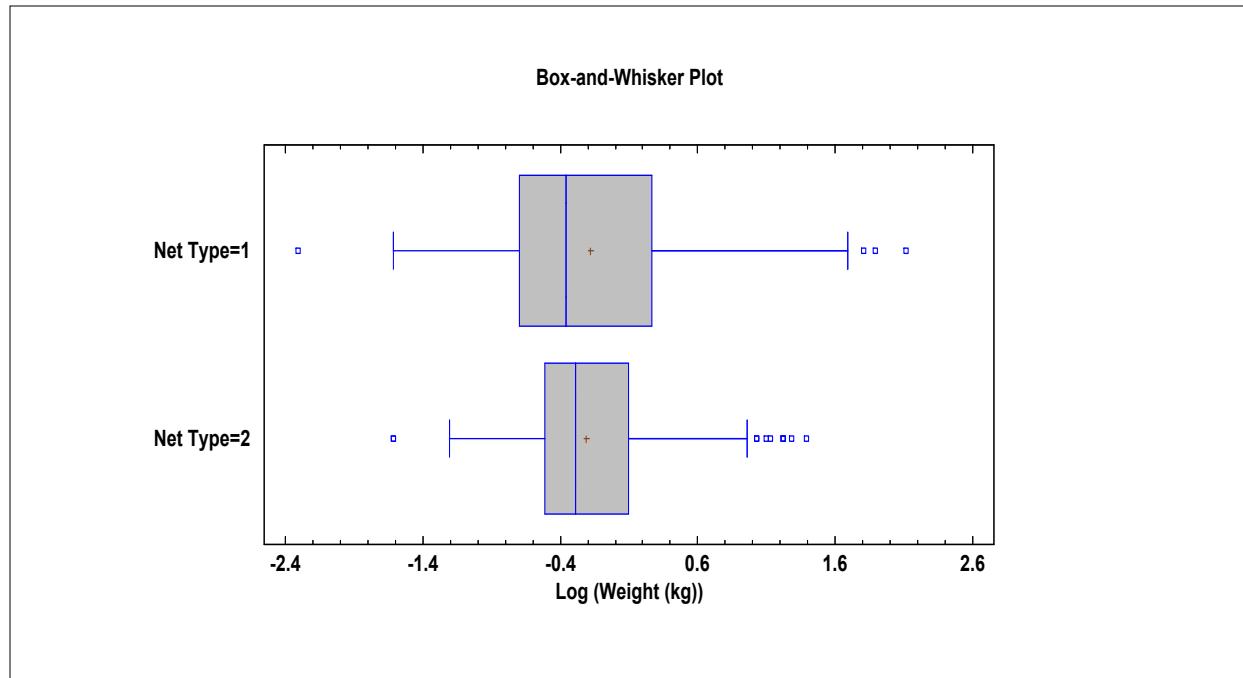


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**Figure 10. Mean log total length (mm) of southern flounder collected by net type in Albemarle Sound, North Carolina from April to October, 2014. Net type 1= control, Net type 2 = experimental.**

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A *t*-test did not show a significant difference in mean weight by net type at the 95% confidence level ( $t(819) = 0.72; p = 0.47$ ). However, a KS test did detect a statistical difference in the weight distribution of southern flounder by net type ( $D = 3.09; p < 0.05$ ). As expected, total catch and weight peaked in September for both the control and experimental sections (**Fig. 11**).



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**Figure 11. Mean log weight (kg) of southern flounder collected by net type in Albemarle Sound, North Carolina from April to October, 2014. Net type 1= control, Net type 2 = experimental.**

### 381 Protected species, Atlantic sturgeon

382 A total of 37 individuals representing three protected species (Atlantic sturgeon [ $n = 32$ ], double-  
383 crested cormorant [ $n = 3$ ], and Kemp's ridley sea turtle [ $n = 2$ ]) were incidentally entangled  
384 during the study; all protected species were released alive. No mortalities of Atlantic sturgeon ( $n$   
385 = 32) were documented in either the control or experimental sections. It should be noted that two  
386 of the Atlantic sturgeon had external T-bar tags at the base of the left dorsal fin musculature  
387 (#49364 and #48022; **Table 1**).

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396 **Table 1. Atlantic sturgeon encounters in Albemarle Sound, North Carolina from April to**  
 397 **October, 2014. Net type is defined as control (C) and experimental (E) sections.**

Date	Set	Net	Net Type (C or E)	Latitude	Longitude	Total Length (mm)	Weight (Kg)	Tag #
4/4/2014	4	1	C	36 00.299	76 22. 440	510		
4/4/2014	4	1	C	36 00. 299	76 22. 440	632		
4/4/2014	4	1	C	36 00. 299	76 22. 440	759		
4/4/2014	4	1	C	36 00. 299	76 22. 440	815		
4/11/2014	7	1	C			530	0.8	
4/11/2014	7	1	C			760	2.7	
4/12/2014	8	1	C	35 59. 345	76 17. 195	825	3	
9/3/2014	14	7	C	35 59. 299	76 15. 443	747	2.1	
9/3/2014	15	17	C	35 58. 139	76 19. 908	680	1.4	49364
9/5/2014	17	29	C	35 58. 622	76 19. 501	685	1.5	
9/5/2014	18	3	C	35 59. 227	76 19. 958	765	1.4	
9/6/2014	19	17	C	35 58. 207	76 20. 736	636	0.4	
9/10/2014	20	15	C	35 58. 177	76 18. 518	648	1.6	
9/10/2014	21	14	C	35 57. 720	76 20. 198	691	1.4	
9/13/2014	25	8	C	35 58. 489	76 19. 064	913	4.9	
9/13/2014	25	18	C	35 58. 441	76 18. 479	725	1.8	
9/13/2014	25	20	C	35 58. 432	76 18. 268	784	2	
9/14/2014	27	8	C	36 01. 478	76 40. 816	864	3.2	
9/14/2014	27	8	C	36 01. 465	76 40. 825	915	3	
9/15/2014	32	14	C	35 59. 160	76 14. 621	788	2.4	
9/16/2014	33	5	C	36 00. 484	76 11. 340	858	3.4	
9/19/2014	37	15	C	35 59. 619	76 31. 306	725	1.8	
9/25/2014	48	30	C	36 01. 609	76 27. 502	733	2.7	
4/13/2014	9	2	E	35 59. 569	76 16. 258	640	1	
9/3/2014	14	30	E	35 59. 299	76 15. 443	840	2.9	48022
9/4/2014	16	30	E	35 58. 962	76 16. 462	599	1.2	
9/10/2014	20	16	E	35 58. 177	76 18. 518	841	2.8	
9/11/2014	22	7	E	36 02. 403	76 25. 993	570	1	
9/13/2014	25	22	E	35 58. 418	76 18. 157			
9/13/2014	25	28	E	35 58. 480	76 17. 789	850	2.8	
9/15/2014	31	13	E	35 58. 625	76 17. 315	682	1.1	
9/24/2014	47	27	E	35 53. 301	75 59. 230	744	1.9	

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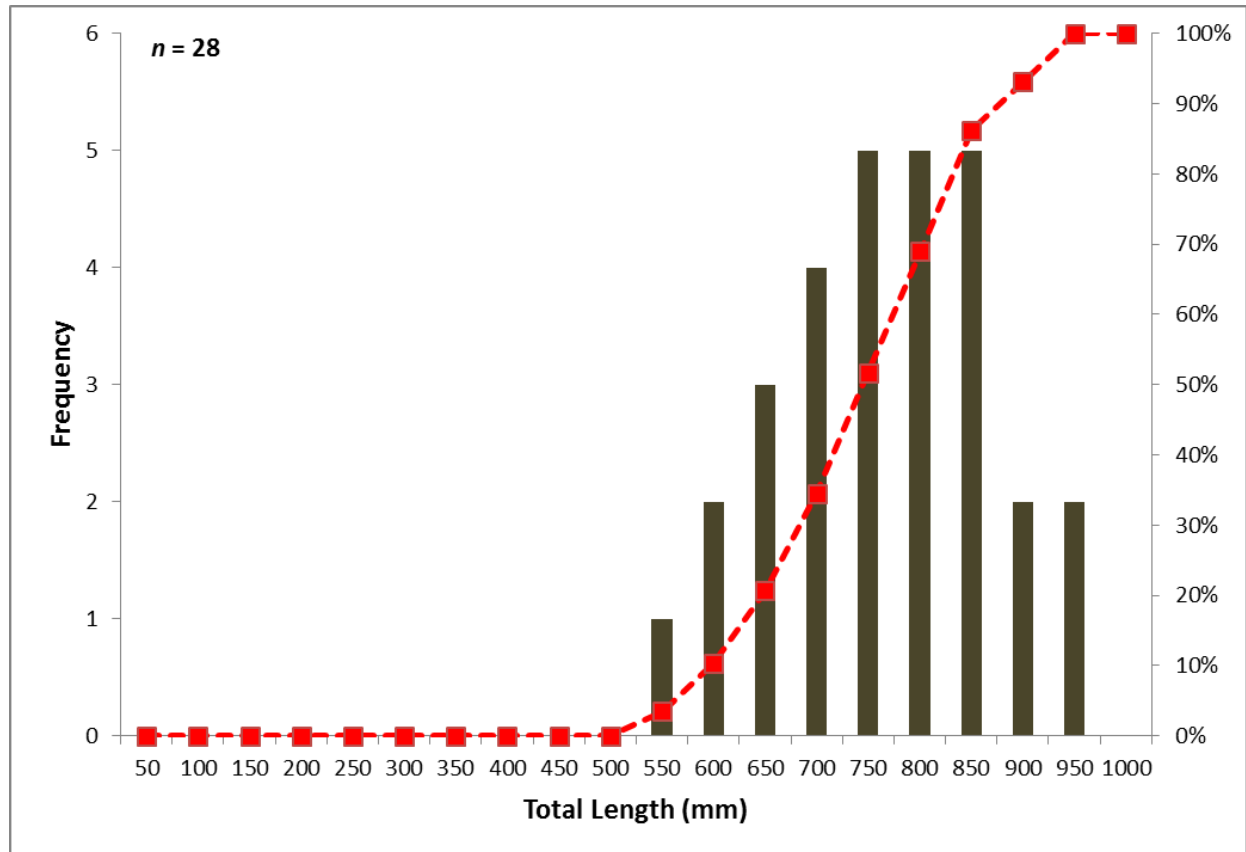
400

401            Seventy-two percent ( $n = 23$ ) of Atlantic sturgeon were incidentally encountered in the  
402 control sections, but only 28% ( $n = 9$ ) Atlantic sturgeon were incidentally encountered in the  
403 experimental sections. Overall, the experimental sections encountered 60.9% ( $n = 14$ ) less  
404 Atlantic sturgeon than the control sections. A Wilcoxon signed-rank test indicated the medium  
405 Atlantic sturgeon encounter scores was lower in the experimental sections than the control  
406 sections at the 95% confidence level ( $Z = 2.06$ ;  $p = 0.04$ ). Moreover, a Chi-square test showed a  
407 significant difference in the standard deviation of Atlantic sturgeon encounters between net type  
408 ( $\chi^2 [1, 32] = 45.8$ ;  $p < 0.05$ ). Applying the McNemar test indicated 70 sets were necessary to  
409 detect a corresponding 80% reduction in Atlantic sturgeon encounters between the two nets at an  
410 alpha of 0.05 and beta of 0.2 (80% power). Based on this power analysis, results showed the  
411 difference was significantly between the two nets ( $p < 0.05$ ; power >80%).

412            Overall, the length-frequency distribution of Atlantic sturgeon encountered ranged from  
413 510 to 915 mm TL with a mean of 734 mm TL (**Fig. 12**). The total length of Atlantic sturgeon  
414 encountered in the control sections ranged from 510 to 915 mm with a mean of 738.6 mm. The  
415 corresponding weight ranged from 0.4 to 4.9 kg with a mean of 2.2 kg. The total length of  
416 Atlantic sturgeon encountered in the experimental sections ranged from 570 to 850 mm with a  
417 mean of 720.8 mm. The corresponding weight ranged from 1.0 to 2.9 kg with a mean of 1.8 kg.  
418 A Wilcoxon signed-rank test indicated the medium Atlantic sturgeon length scores was lower in  
419 the experimental sections than the control sections at the 95% confidence level ( $Z = 82.0$ ;  $p =$   
420  $0.67$ ; **Fig.13**). Moreover, a KS test did not detect a statistical difference in the size distribution of  
421 Atlantic sturgeon by net type at the 95% confidence level ( $\chi^2 = 0.58$ ;  $p = 0.89$ ). A Wilcoxon  
422 signed-rank test indicated the medium Atlantic sturgeon weight scores was lower in the  
423 experimental sections than the control sections at the 95% confidence level ( $Z = 59.0$ ;  $p = 0.38$ ;

424 **Fig.14).** A KS test did not detect a statistical difference in the weight distribution of Atlantic  
425 sturgeon by net type at the 95% confidence level ( $\chi^2 = 0.39$ ;  $p = 0.35$ ).

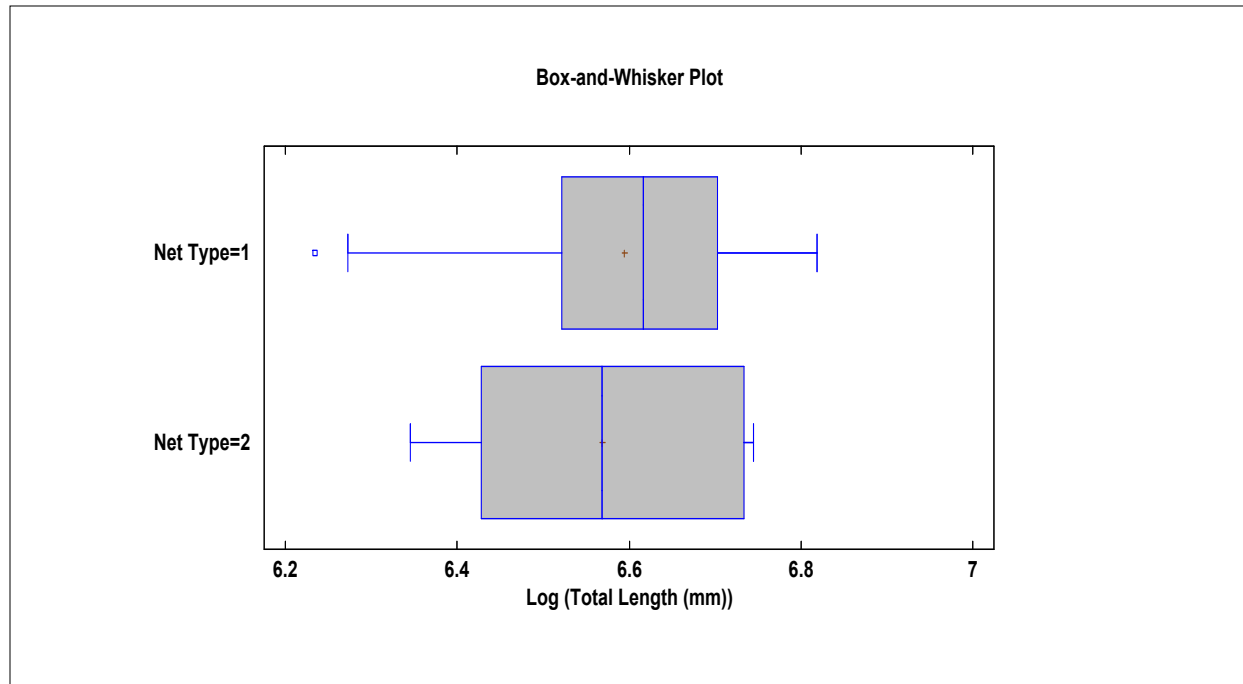
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427  
428 **Figure 12. Length-frequency distribution of Atlantic sturgeon encountered in Albemarle**  
429 **Sound, North Carolina from April to October, 2014.**

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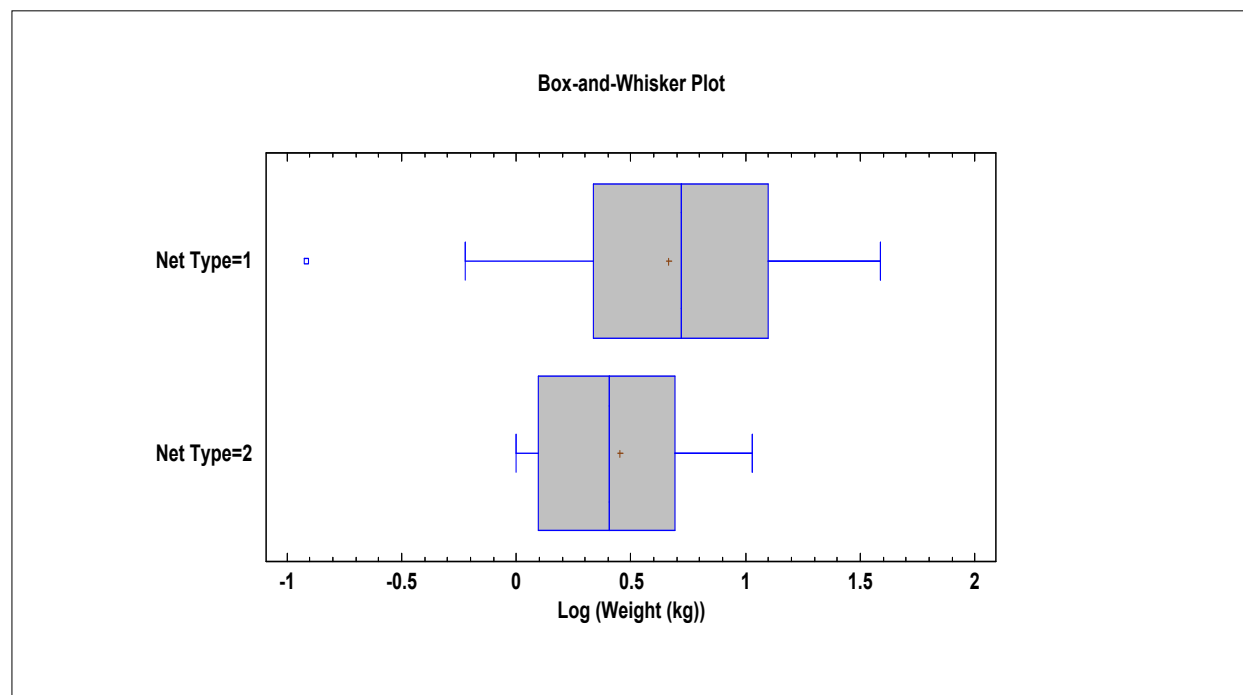
432

433 **Figure 13. Mean log total length (mm) of Atlantic sturgeon incidentally encountered by net**  
434 **type in Albemarle Sound, North Carolina from April to October, 2014. Net type 1= control,**  
435 **Net type 2 = experimental.**

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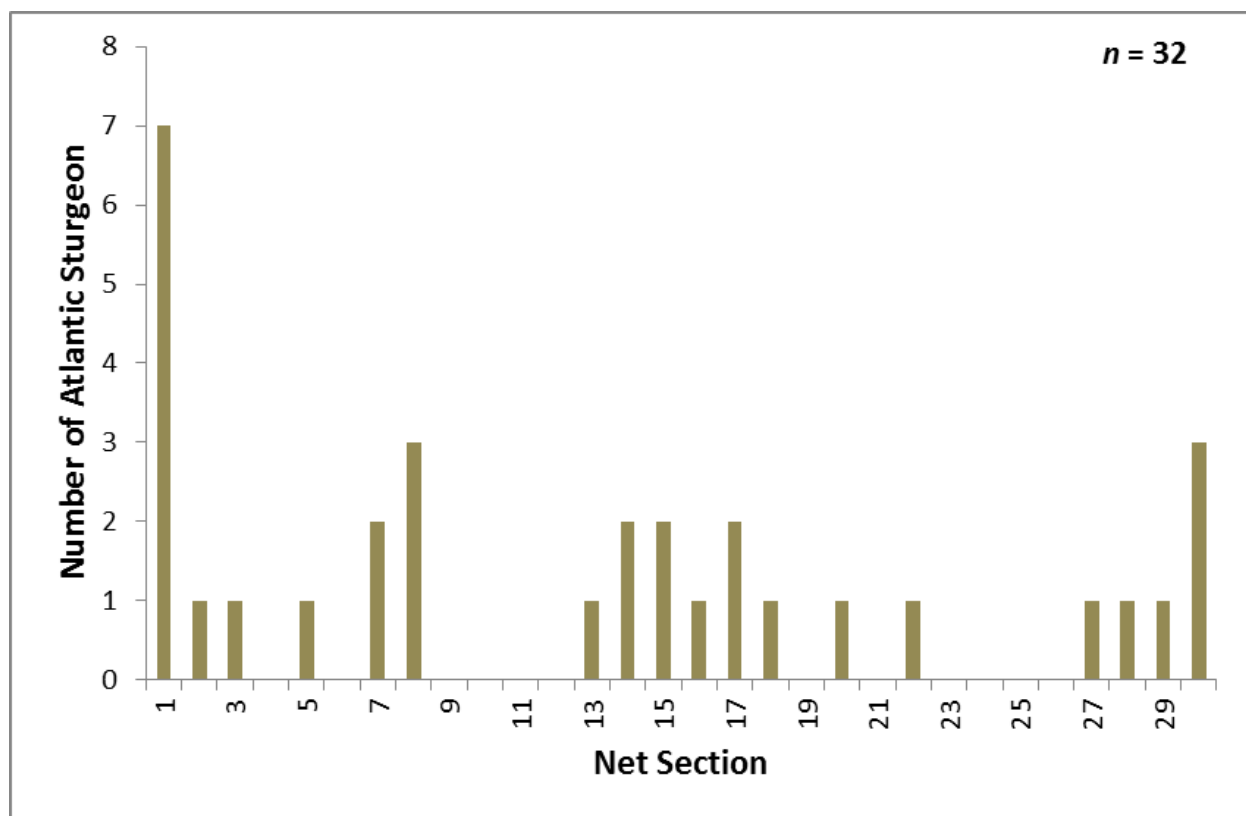
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440 **Figure 14. Mean log weight (kg) of Atlantic sturgeon incidentally encountered by net**  
441 **type in Albemarle Sound, North Carolina from April to October, 2014. Net type 1= control, Net**  
442 **type 2 = experimental.**

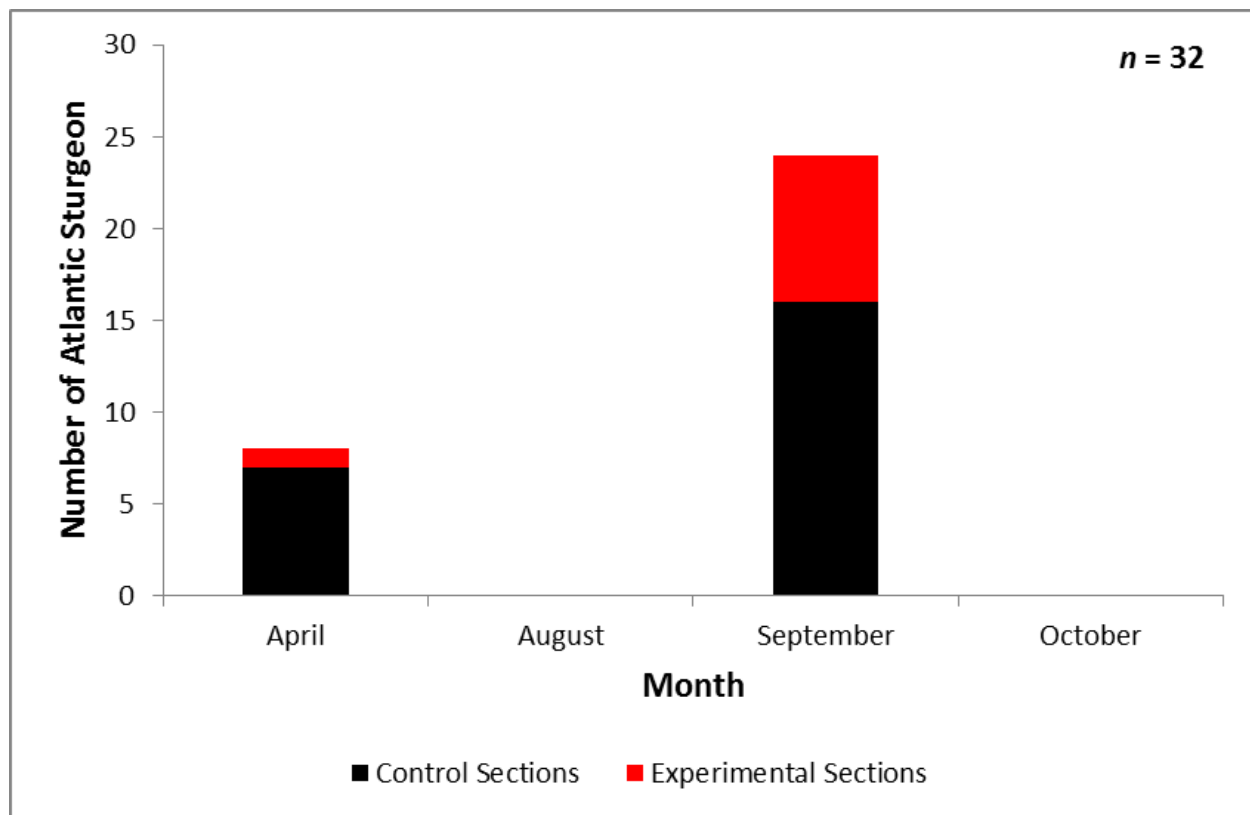
443 In terms of net location (Net Sections/Pair Number 1–30), Atlantic sturgeon were  
444 incidentally entangled throughout the net, but most were entangled in the first section ( $n = 7$  or  
445 22%) followed by net section 8 ( $n = 3$  or 14%) and the last (30) section ( $n = 3$  or 14%). Thirty-  
446 one percent ( $n = 10$ ) of the Atlantic sturgeon were incidentally entangled in either the beginning  
447 or end sections of the net (**Fig. 15**). Despite this apparent difference, a Kruskal-Wallis test did  
448 not detect a significant difference in the ranks among the number of Atlantic sturgeon  
449 encountered by net section ( $H = 24.9$ ;  $p = 0.68$ ).



450  
451 **Figure 15. Total number of Atlantic sturgeon encountered by net section (pair number) in**  
452 **Albemarle Sound, North Carolina from April to October, 2014.**  
453

454 The total number of Atlantic sturgeon encounters ranged from 0 in August and October to  
455 24 in September. Despite the limited fishing effort in April, there were 7 Atlantic sturgeon  
456 encounters in the control sections and 1 encounter in the experimental sections (**Fig. 16**). In

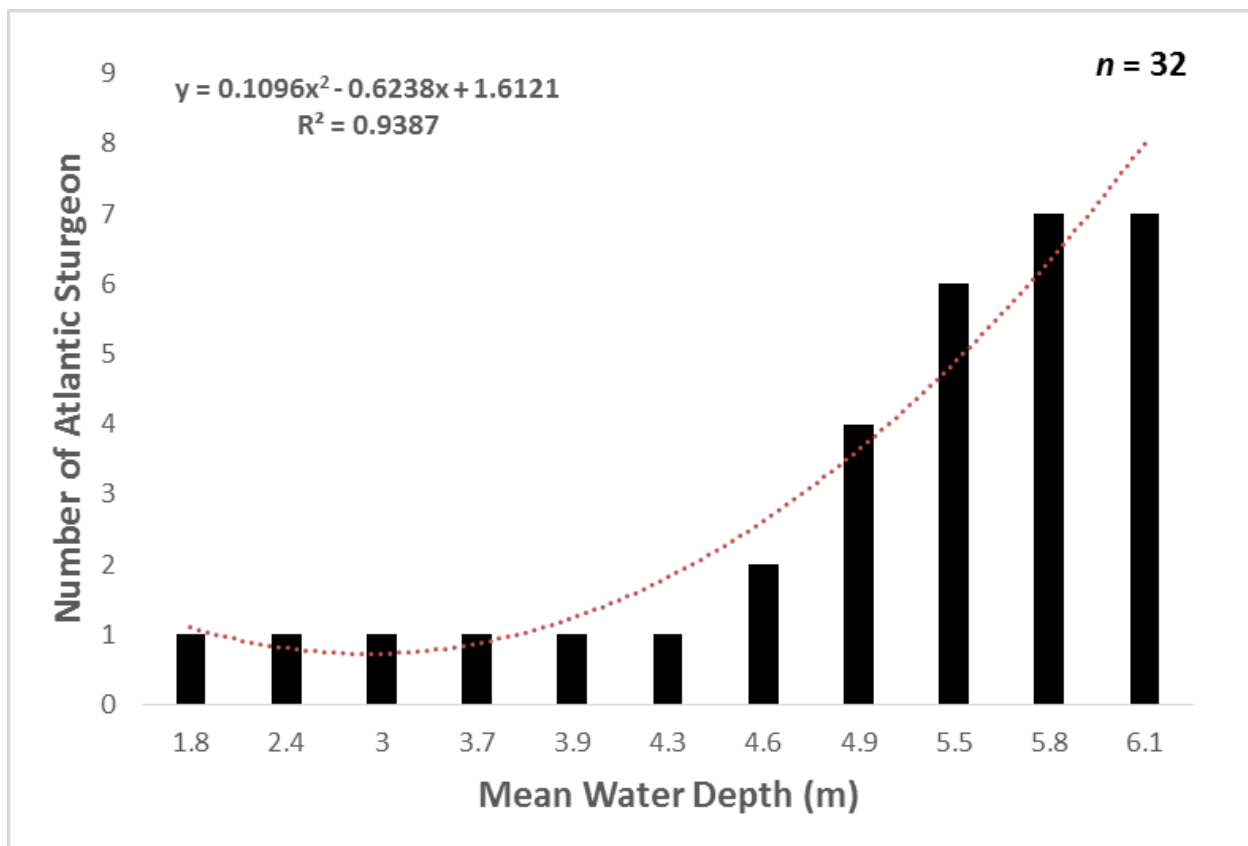
457 September, there were 16 and 8 encounters in the control and experimental sections,  
458 respectively.



459 **Figure 16. Number of Atlantic sturgeon incidentally encountered by net type and month in**  
460 **Albemarle Sound, North Carolina from April to October, 2014.**  
461  
462

463 More Atlantic sturgeon were encountered in deeper than shallower waters. Seventy-five percent  
464 ( $n = 24$ ) of the Atlantic sturgeon encounters occurred at water depths between 4.6 and 6.1 m. A  
465 Chi-square test revealed a statistical significant discrepancy between the observed and expected  
466 counts of the number of Atlantic sturgeon encountered by depth range ( $\chi^2 [3, 32] = 25.2; p <$   
467  $0.05$ ). The number of Atlantic sturgeon encounters was positively associated with mean water  
468 depth. The association between the number of Atlantic sturgeon and mean water depth was  
469 explained by polynomial regression (**Fig. 17**). Also, more Atlantic sturgeon ( $n = 13$  or 41%)  
470 were encountered in warmer ( $26\text{--}30^\circ\text{C}$ ) than colder water temperatures. A Chi-square test found

471 a significant discrepancy between the observed and expected counts of the number of Atlantic  
472 sturgeon encountered by water temperature range ( $\chi^2 [3, 32] = 8.4; p = 0.04$ ). Despite these  
473 outcomes, a firth regression test did not find a significant interaction effect between the number  
474 of Atlantic sturgeon encounters and net type, month, or water depth. The best model fit did  
475 suggest that month and depth were significant predictors of a positive outcome for Atlantic  
476 sturgeon encounters.



477 **Figure 17. Number of Atlantic sturgeon incidentally encountered by mean water depth (m)**  
478 **in Albemarle Sound, North Carolina from April to October, 2014. The dash line depicts the**  
479 **polynomial regression.**  
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## 482 DISCUSSION

483 Bycatch is major issue concerning fishery managers around the world, especially for those  
484 charged with preserving and recovering protected species. In the United States, one of the  
485 primary concerns is the incidental capture of protected species in commercial fishing operations,

486 especially long-lived species such as Atlantic sturgeon. Although Atlantic sturgeon are protected  
487 under the ESA, updated fishery interaction information is unavailable for most commercial  
488 fisheries that incidentally encounter the species (FWC, 2011). Unfortunately, only limited  
489 research has specifically focused on finding potential solutions to the Atlantic sturgeon/fishery  
490 interaction problem in the United States. Most studies to date have focused on understanding the  
491 life-history, movements, habitat preferences, and population dynamics of Atlantic sturgeon (e.g.,  
492 Breece *et al.*, 2013). Discovering a potential resolution to the fishery interaction problem is  
493 currently pressing, especially since fishery managers are debating the continued authorization of  
494 sustainable commercial fishing activities, specifically those that interact with protected species  
495 (e.g., marine mammals, sea turtles, and Atlantic sturgeon). Given this pressing conservation and  
496 economic need, we conducted the first bycatch reduction study to evaluate modifications in  
497 commercial fishing gillnet gear to reduce interactions between Atlantic sturgeon and the southern  
498 flounder fishery in Albemarle Sound, North Carolina.

#### 499 **Protected species; Atlantic sturgeon**

500 The results of this study indicate that our modified gill net design is a plausible solution to the  
501 Atlantic sturgeon/southern flounder fishery interaction problem in Albemarle Sound, North  
502 Carolina. Designing a monofilament gillnet with a reduced profile and associated webbing (75%  
503 less) led to a significant reduction in the number of Atlantic sturgeon encounters. The  
504 experimental sections also did not entangle any sea turtles or double-breasted cormorants; unlike  
505 the control sections. Regrettably, the gear encounters for sea turtles [ $n = 2$ ] and double-breasted  
506 cormorants [ $n = 3$ ] were too low to allow for any conclusive inferences. Reducing the profile of  
507 the net did not lead to any potential negative changes in the catch distribution of Atlantic  
508 sturgeon. The experimental sections incidentally encountered similar mean size, corresponding



509 weight, and frequency distribution (length and weight) of Atlantic sturgeon as the control  
510 sections. Overall, Atlantic sturgeon encountered in this study were slightly larger than those  
511 reported by Armstrong (1999), which was somewhat expected given the selectivity  
512 characteristics of gillnets. Using NCDMF data (1990–1995), Armstrong (1999) reported that the  
513 number of Atlantic sturgeon encounters decreased with mesh size, but mean fork length increased  
514 with mesh size. Interestingly, the Atlantic sturgeon encountered in this study were much larger  
515 than those reported by Armstrong (1999) for the larger stretch mesh sizes (14–17.8 cm). It is  
516 unclear to us why the individuals we encountered were larger than those previously reported, but  
517 it was probably related to the small sample size ( $n = 32$ ) or limited number of sets. Despite the  
518 observed mean length for Atlantic sturgeon being inconsistent with previous studies, the control  
519 and experimental sections incidentally captured Atlantic sturgeon with a similar size distribution.  
520 The net modifications tested during this study were not expected to influence the Atlantic  
521 sturgeon size distribution, but this is a relevant finding because potential changes in Atlantic  
522 sturgeon length could have inadvertently harmed vulnerable size classes ( $< 130$  cm; minimum  
523 size-at-maturity [Van Eenennaam *et al.*, 1996]). The incidental capture of juvenile Atlantic  
524 surgeon threatens recovery of the population (Stein *et al.* 2004). Though post-release mortality  
525 information is unavailable for Atlantic sturgeon, it is possible that smaller individuals  
526 incidentally taken in gillnet gear have a greater risk of mortality than larger individuals.

527 Fishing effort and subsequent Atlantic sturgeon encounters primarily occurred in  
528 September. Actually, after 30 September, 2014, we did not encounter any Atlantic sturgeon. It is  
529 difficult to guess why no Atlantic sturgeon were encountered after September, but it could have  
530 been related to changes in the environmental conditions and/or Atlantic sturgeon movement  
531 patterns. Armstrong (1999) hinted that Atlantic sturgeon may aggregate or increase swimming

532 activity in Albemarle Sound during certain periods (spring and fall), so it's conceivable that the  
533 Atlantic sturgeon had simply moved to a different section in the sound. It's also probable that  
534 Atlantic sturgeon have limited preferred habitat within Albemarle Sound (Armstrong, 1999),  
535 which decreases the likelihood of random encounters. To reduce any potential effort bias, we  
536 attempted to set the gear in ideal Atlantic sturgeon and southern flounder habitat by evaluating  
537 daily catch and discussing fishing success with local cooperative commercial fishermen. We  
538 used this approach because it is well documented that fishing success can potentially bias results  
539 in research studies focused on gear modification solutions. For instance, He and Jones (2013)  
540 reported significant differences in catch rates for Atlantic sturgeon between the two fishing  
541 vessels they used in their study. The researchers were able to consider this effect in their  
542 statistical analyses, but it should be noted that fishing tactics can bias results, especially if the  
543 gear is set in a different method, area, or time.

544         In many ways, the experimental panels out-performed previously tested gillnet designs in  
545 terms of reducing Atlantic sturgeon fishery interactions even though the nets used by other  
546 researchers were specifically designed for different fisheries (i.e., monkfish [*Lophius*  
547 *americanus*]). In earlier research, gillnet modifications designed to reduce Atlantic sturgeon  
548 fishery interactions resulted in conflicting and mixed outcomes given the low statistical power,  
549 relatively high mortality rates for Atlantic sturgeon and other protected species, and reduced  
550 target catch (Fox *et al.*, 2011). Building upon previous research, Fox *et al.* (2012) found that  
551 modifications to gillnet gear could provide a potential solution to Atlantic sturgeon interactions  
552 with large mesh sink gillnet fisheries in the mid-Atlantic and Northeast regions of the United  
553 States. Although the results were statistically insignificant, the research showed that bycatch of  
554 Atlantic sturgeon could be reduced and landings of target species (monkfish and winter skate

555 [*Leucoraja ocellata*]) could be maintained using low profile tie-down gillnets. Fox *et al.* (2012)  
556 also found that incorporating specific tie-down configurations was important for maintaining  
557 target catch and reducing Atlantic sturgeon encounters in the monkfish fishery. In 2013, Fox *et*  
558 *al.*, once again decreased the profile of the net and compared it to the standard monkfish net, but  
559 were unable to achieve statistically significant reductions in Atlantic sturgeon catch. The  
560 experimental net did however catch similar numbers of monkfish and winter skate. Of note, Fox  
561 *et al.* (2013) found that most of the entangled Atlantic sturgeon were located in the upper half of  
562 the net, suggesting that a lower profile design might reduce more fishery interactions. He and  
563 Jones (2013) also discovered that a low profile gillnet reduced Atlantic sturgeon bycatch in the  
564 monkfish fishery in Virginia and Maryland; although, the experimental nets caught significantly  
565 less monkfish (i.e., target species).

566         Given the findings from this present study and others, it appears that reducing the gillnet  
567 profile, regardless of the fishery, has a beneficial significant impact on reducing the number of  
568 Atlantic sturgeon encounters. Unlike previous studies, our study was able to achieve sufficient  
569 statistical power to demonstrate a reduction in Atlantic sturgeon encounters. More importantly,  
570 the gear modifications in this study did not result in any observed mortalities of Atlantic sturgeon  
571 even though the experimental net had much greater mean soak times than previous studies (Fox  
572 *et al.*, 2011; Fox *et al.*, 2013; He and Jones, 2013); soak time has been correlated with Atlantic  
573 sturgeon mortalities (Fox *et al.*, 2013). According to He and Jones (2013), every sturgeon  
574 encountered in the gear with soak times greater than 24 hours was dead. Fortunately, no  
575 mortalities occurred in Albemarle Sound during this study. Indeed, every Atlantic sturgeon  
576 encountered was in good condition despite warm water temperatures ( $> 25^{\circ}\text{C}$ ) for many of the  
577 encounters ( $n = 16$ ). Maybe the Atlantic sturgeon encountered the net shortly before haul back?

578 Overall, this present study was able to achieve more conclusive results than previous  
579 studies due to the larger sample size ( $n = 70$ ), the fact that the study was conducted  
580 independently rather than relying on various commercial fishing vessels, and the alternating  
581 panel design (control and experimental sections) of the trial net; as opposed to using more than  
582 one net (e.g., He and Jones, 2013). In our opinion, all of these factors helped reduce potential  
583 sampling and gear bias. More importantly, the gear was specifically set in locations that were  
584 ideal for Atlantic sturgeon and southern flounder, underscoring the notion that fishing success  
585 can have on statistical inference and subsequent conclusions about the data.

#### 586 **Southern flounder catch**

587 The goal of gear modifications is not only to reduce interactions between protected species and  
588 commercial fisheries, but to maintain catch rates of specific target species. In North Carolina,  
589 southern flounder is an economically valuable commercial species, thus any proposed gear  
590 modifications should have little to no significant impact on the target catch. Despite the positive  
591 outcome for reducing the number of Atlantic sturgeon encounters, the modified gear did entangle  
592 less southern flounder (numbers and corresponding weight) than the control sections. The  
593 experimental sections entangled 52% less number of individuals corresponding to a 32% loss in  
594 total weight of southern flounder than the control sections. Although statistically insignificant,  
595 the experimental sections entangled slightly larger individuals than the control sections, and the  
596 length and weight-frequency distributions were relatively different than the control sections. This  
597 is a common observation since changes in catch (mean size) are expected as gillnets are known  
598 to be selective in terms of number and size of individuals. He and Jones (2013) reported that  
599 modifications to gillnet gear yielded fewer monkfish smaller than 75 cm compared to the control  
600 net, but they did not detect a difference in monkfish larger than 75 cm. Fox *et al.* (2013)

601 indicated they too entangled slightly smaller (statistically insignificant) monkfish in their  
602 modified gillnets.

603 Overall, reducing the profile of the gillnet had a relatively negative economic impact on  
604 overall southern flounder catch. We acknowledge that commercial fishermen often operate at  
605 marginal profit levels, but considering the alternative options (e.g., permanently closing the  
606 fishery), the 32% loss in southern flounder catch (total weight) is relative in terms gross revenue,  
607 especially in comparison to other expenses, such as fluctuations fuel prices. The reduction in  
608 target catch in our study mimicked previous bycatch reduction studies that also modified the  
609 profile of the gear to reduce Atlantic sturgeon fishery interactions (Fox *et al.*, 2011; He and  
610 Jones, 2013). Though this study cannot be compared to other studies given the fishery (southern  
611 flounder) and geographic location, the reduction in target catch was slightly higher than  
612 previously reported for other fisheries and target catch. Nevertheless, it appears that reducing the  
613 profile of the net tends to decrease landing in the target catch regardless of the fishery. He and  
614 Jones (2013) found that changing the gear's profile (number of meshes and tie-down length and  
615 spacing), decreased the primary target species (monkfish) by 16.1%; but it had little effect on the  
616 secondary target species (winter skate). Fox *et al.* (2013) also reported lower (4.5%) numbers of  
617 monkfish (target species) in their modified gear.

618 Modifying commercial fishing gear is challenging since many marine organisms have  
619 similar preferred habitat, and aggregate or display similar movement patterns. Making  
620 modifications in fishing gear can either have no change in catch or it can alter catches of more  
621 than one species. Modifications in fishing gear or fishing practices can even have detrimental  
622 impacts to certain species. Fox *et al.* (2011) found that removing tie-downs did not have any  
623 impact on reducing Atlantic sturgeon encounters, but it did significantly reduce target catch

624 (monkfish) landings and caused a number of unacceptable marine mammal mortalities. Despite  
625 our findings demonstrating that reducing the profile significantly (statistically) decreased  
626 southern flounder landings, we believe this reduction is economically insignificant compared to  
627 other possible alternatives for reducing Atlantic sturgeon encounters.

### 628 **Bycatch**

629 The modified gear tested in this study was also successful at reducing bycatch. The total number  
630 of individuals entangled in the experimental sections was significantly lower than the control  
631 sections, which is encouraging given that bycatch is a concern to both commercial fishermen and  
632 fishery managers. In terms of biodiversity, the experimental sections entangled fewer species  
633 than the control sections. In general, both sections of net captured similar primary species, but  
634 there were some differences among a few species. The butterfly ray (*Gymnura micrura*),  
635 blueback herring (*Alosa aestivalis*), and channel catfish (*Ictalurus punctatus*) were only captured  
636 in the experimental sections, while the red horse sucker (*Moxostoma carinatum*) was only  
637 captured in the control sections. Currently, the blueback herring is a species of concern, so this  
638 could be an issue for fishermen and managers in the future. Nonetheless, only one individual was  
639 entangled. Overall, species composition was similar between the two sections, which  
640 corresponded with previous studies (He and Jones, 2013). Given the net design and the  
641 experimental approach (alternating sections), a difference in overall species composition was not  
642 expected. Modifying the gillnet had a positive effect on reducing bycatch and little to no effect  
643 on the entanglement of additional species, including protected species (endangered, threatened,  
644 or species of concern).

### 645 **Gear characteristics**

646 As previously discussed, the modified gear was successful at reducing Atlantic sturgeon fishery  
647 interactions, while maintaining relative catch rates of southern flounder. Despite these optimistic  
648 outcomes, the gear does have some limitations in terms of its “fishability” for commercial  
649 fishermen. We define the term “fishability” as the way the fishing gear responds to the  
650 environmental conditions (i.e., winds, waves, and currents), which is very important to  
651 commercial fishermen because it effects catchability in terms of corresponding economics. As  
652 expected, commercial fishermen are interested in catchability (i.e., optimizing catch while  
653 reducing fishing effort), but one of their other main concerns is gear maintenance and associated  
654 costs. Often one of the drawbacks of using new gear or technology is often its upkeep. To mimic  
655 the fishery, the gear was set under the same environmental conditions as local fishermen, which  
656 caused various issues (gear twists) that were related to incumbent weather (i.e. frontal storms).  
657 We noticed the experimental sections were often prone to twisting during high winds, currents,  
658 and waves. For example, on one occasion, after an overnight storm, the field crew had to untwist  
659 732 m (800 yd) of net, which not only took longer to retrieve, but also increased the potential  
660 risk to Atlantic sturgeon encounters since the net was in the water longer. Although the field  
661 crew was able to untwist much of the webbing, net repairs were occasionally required, which  
662 extended the haul back time. The other issue we noticed was that the modified gear was more  
663 fragile than the traditional gear in terms of its durability. By the end of the study, much of the  
664 monofilament webbing used in the construction of the experimental sections needed to be  
665 replaced. Replacement of webbing translates to additional costs that would be a concern to  
666 commercial fishermen. In contrast, the monofilament webbing in the control was in much better  
667 shape.

668           Developing innovative fishing gear solutions requires refinement not only in terms of  
669 increasing target catch and decreasing bycatch, but reducing general gear maintenance and  
670 associated costs. In our opinion, the following refinements could increase the gear's catchability  
671 (southern flounder landings) and fishability (lower gear upkeep time and costs): (1) adding an  
672 anchor every 457 m (500 yd) to minimize twisting; adding more anchors would secure the net to  
673 the bottom better; and (2) increasing the amount of drop back from 2 to 6 m in the experimental  
674 section webbing; increasing the amount of drop back should reduce the number of twists and  
675 increase southern flounder catch. We believe increasing the drop back in the experimental  
676 section webbing would reduce the tension between the top and bottom line causing the webbing  
677 to loosen, which would thereby entangle more southern flounder.

678

## 679 **CONCLUSION**

680 Protected species interactions in commercial fisheries are major problem in the United States,  
681 especially Atlantic sturgeon fishery interactions. As evident in this study, engineering solutions  
682 are possible for reducing fishery interactions, but modifications need to be fishery and location  
683 specific. Our study proved that reducing the profile and amount of webbing material (75% less)  
684 in the water can reduce the number of interaction between Atlantic sturgeon and the southern  
685 flounder fishery in North Carolina, but further refinement is necessary in terms of gear specifics.  
686 Additional gear refining is necessary before commercial fishermen will support changing their  
687 traditional gear and tactics, especially if the transition to modified gear requires more  
688 maintenance. We primarily conducted the study in September to coincide with peak southern  
689 flounder fishing effort, but based on our limited fishing effort ( $n = 9$ ) and associated catch  
690 (Atlantic sturgeon and southern flounder) in April, we recommend addition sets be conducted in



691 the spring to further validate our results. In summary, our findings are encouraging for Atlantic  
692 sturgeon conservation and maintaining sustainable commercial fisheries in Albemarle Sound,  
693 North Carolina.

694

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712

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