

## ENGINEERING DEPARTMENT

February 22, 2024

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Dept. of Environmental Quality

Phil Fisher, Mayor

ALDERMEN Karen Godfrey Ward One

Jim Martin Ward Two

Robert Chapman Ward Three

Chip Wilbanks Ward Four

Beverly Oliver Ward Five

James Lott Ward Six

Ricki Garrett Alderman-At-Large

Jimmy Baldree City Clerk

Bill Owen City Consulting Engineer Chief, Environmental Permits Division MS Department of Environmental Quality

Office of Pollution Control

P.O. Box 2261

Jackson, MS 39225

Re: City of Clinton, MS ERBR 25-049(03)

Pinehaven Drive Bridge Replacement

Large Construction Notice of Intent (LCNOI) - Revised

Storm Water Pollution Prevention Plan (SWPPP)

Since submitting the original documents (LCNOI, SWPPP, Construction Plan Sheets and Quadrangle Map Exhibit) for the referenced improvements the USACE has advised that the proposed improvements will not require an individual permit. Attached please find a revised LCNOI and email correspondence from Mr. Tony Lobred (Anthony.R.Lobred@usace.army.mil) confirming that these improvements are covered under NWP No. 03 (Maintenance). Additionally please find a copy of the MDEQ WQC certification for NWP No. 03.

We appreciate the assistance, and should there be any additional information that is needed for the LCNOI/SWPPP approval please contact me at 601-925-4444 or <a href="mailto:bowen@wgkengineers.com">bowen@wgkengineers.com</a>

Sincerely,

City of Clinton, MS

Bill Owen, P.E.

City Consulting Engineer



AI: 56554

Coverage #: MSR109204



Rec'd via hard copy: 02/23/2024

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

## LARGE CONSTRUCTION NOTICE OF INTENT (LCNOI) FOR COVERAGE UNDER THE LARGE CONSTRUCTION STORM WATER GENERAL NPDES PERMIT

#### INSTRUCTIONS

The Large Construction Notice of Intent (LCNOI) is for coverage under the Large Construction General Permit for land disturbing activities of five (5) acres or greater; or for land disturbing activities, which are part of a larger common plan of development or sale that are initially less than five (5) acres but will ultimately disturb five (5) or more acres. Applicant must be the owner or operator. For construction activities, the operator is typically the prime contractor. The owner(s) of the property and the prime contractor associated with regulated construction activity on the property have joint and severable responsibility for compliance with the Large Construction Storm Water General Permit MSR10.

If the company seeking coverage is a corporation, a limited liability company, a partnership, or a business trust, attach proof of its registration with the Mississippi Secretary of State and/or its Certificate of Good Standing. This registration or Certificate of Good Standing must be dated within twelve (12) months of the date of the submittal of this coverage form. Coverage will be issued in the company name as it is registered with the Mississippi Secretary of State.

Completed LCNOIs should be filed at least thirty (30) days prior to the commencement of construction. Discharge of storm water from large construction activities without written notification of coverage is a violation of state law.

#### Submittals with this LCNOI must include:

- A site-specific Storm Water Pollution Prevention Plan (SWPPP) developed in accordance with ACT5 of the General Permit
- · A detailed site-specific scaled drawing showing the property layout and the features outlined in ACT5 of the General Permit
- A United States Geological Survey (USGS) quadrangle map or photocopy, extending at least one-half mile beyond the facility property boundaries with the site location and outfalls outlined or highlighted. The name of the quadrangle map must be shown on all copies. Quadrangle maps can be obtained from the MDEQ, Office of Geology at 601-961-5523.

#### Additional submittals may include the following, if applicable:

- · Appropriate Section 404 documentation from U.S. Army Corps of Engineers
- · Appropriate documentation concerning future disposal of sanitary sewage and sewage collection system construction
- Appropriate documentation from the MDEQ Office of Land & Water concerning dam construction and low flow requirements
- · Approval from County Utility Authority in Hancock, Harrison, Jackson, Pearl River and Stone Counties
- · Antidegradation report for disturbance within Waters of the State

ALL QUESTIONS MUST BE ANSWERED (Answer "NA" if the question is not applicable)



(NUMBER TO BE ASSIGNED BY STATE)

APPLICANT IS THE:	<b>✓</b> OWNER	PRIME C	ONTRACTOR			
OWNER CONTACT INFORMATION						
owner contact person: P	nilip R. F <u>ish</u> e	r, Mayor		· · · · · · · · · · · · · · · · · · ·		
OWNER COMPANY LEGAL NAM				,		
OWNER STREET OR P.O. BOX;	P.O. Box 156	3				
OWNER CITY: Clinton		STATE:	MS	ZIP: 39060		
OWNER PHONE #: (601 ) 925-	-6103	OWNER EMA	IL: pfisher@clint	onms.org		
PREPARER CONTACT INFORMATION						
IF NOI WAS PREPARED BY SOME		HAN THE APPL	ICANT			
CONTACT PERSON: Bill Owen						
COMPANY LEGAL NAME: WGI						
STREET OR P.O. BOX: 204 We				· · · · · · · · · · · · · · · · · · ·		
CITY: Clinton		state: MS		_ ZIP: 39056		
PHONE # ( ) 601-925-4444	, a.u.	EMAIL: bo	wen@wgkengine	ers.com		
PRIME CONTRACTOR CON	TACT INFO	RMATION				
PRIME CONTRACTOR CONTAC	T PERSON:					
PRIME CONTRACTOR COMPAN	Y LEGAL NAM	Œ:				
PRIME CONTRACTOR STREET	OR P.O. BOX: _					
PRIME CONTRACTOR CITY:		ST	TATE:	ZIP:		
PRIME CONTRACTOR PHONE #	:()	PRIME CON	TRACTOR EMAIL:_			
FACILITY SITE INFORMATION						
FACILITY SITE NAME: Pineha				# SA250000000195)		
FACILITY SITE ADDRESS (If the indicate the beginning of the project at STREET: Pinehaven Driv	nd identify all cou	s not available, ple inties the project tra	ase indicate the nearest averses.)	named road. For linear projects		
CITY: Clinton	STATE: MS		COUNTY: Hinds	ZIP: 39056		
FACILITY SITE TRIBAL LAND I						
LATITUDE: 32 degrees 23 min						
LAT & LONG DATA SOURCE (GP	S (Plense GPS Projec	t Entrance/Start Point	or Map Interpolation): G	iPS - Center of New Bridge		
TOTAL ACREAGE THAT WILL I	BE DISTURBED	1: 8.04 ac (incl	udes 2.20 acres w	rithin existing right-of-way)		

IS THIS PART OF A LARGER COMMON PLAN OF DEVELOPMENT?	YES	NO 🗸
IF YES, NAME OF LARGER COMMON PLAN OF DEVELOPMENT: AND PERMIT COVERAGE NUMBER: MSR10		
ESTIMATED CONSTRUCTION PROJECT START DATE:	2024-09-01 YYYY-MM-DD	
ESTIMATED CONSTRUCTION PROJECT END DATE:	2025-12-01 YYYY-MM-DD	
DESCRIPTION OF CONSTRUCTION ACTIVITY: Removal and replacement of existing bridge wit	h associated roadway a	approach
PROPOSED DESCRIPTION OF PROPERTY USE AFTER CONSTRUCTION HAS BEEN Property will be included in City of Clinton maintained right-of-way	COMPLETED:	
SIC Code: 1 6 2 2 NAICS Code 2 3 7 3 1 0		
NEAREST NAMED RECEIVING STREAM: Bogue Chitto Creek		
IS RECEIVING STREAM ON MISSISSIPPI'S 303(d) LIST OF IMPAIRED WATER BODIES? (The 303(d) list of impaired waters and TMDL stream segments may be found on Mhttp://www.deq.state.ms.us/MDEQ.nsf/page/TWB_Total_Maximum_Daily_Load_Section)	YES ADEQ's web site:	NO√
HAS A TMDL BEEN ESTABLISHED FOR THE RECEIVING STREAM SEGMENT?	YES 🗸	NC
FOR WHICH POLLUTANT: Organic Enrichment/Low Dissolved Oxygen and Biological Impair	rment	
ARE THERE RECREATIONAL STREAMS, PRIVATE/PUBLIC PONDS OR LAKES WITHIN ½ MILE DOWNSTREAM OF PROJECT BOUNDRY THAT MAY BE IMPACTED ACTIVITY?	D BY THE CONST	NO V RUCTION
EXISTING DATA DESCRIBING THE SOIL (for linear projects please describe in SWPPP): From NRCS Soil Survey - The soils within the project boundaries are defined as Oaklimiter Silt Loam		
WILL FLOCCULANTS BE USED TO TREAT TURBIDITY IN STORM WATER?	YES	NO✓
IF YES, INDICATE THE TYPE OF FLOCCULANT.  ANIONIC POLYACRYL OTHER  OTHER	LIMIDE (PAM)	
IF YES, DOES THE SWPPP DESCRIBE THE METHOD OF INTRODUCTION, THE LOCAND THE LOCATION OF WHERE FLOCCULATED MATERIAL WILL SETTLE?	ATION OF INTRO	DUCTION
IS A SDS SHEET INCLUDED FOR THE FLOCCULATE?	YES	NC
WILL THERE BE A 50 FT BUFFER BETWEEN THE PROJECT DISTURBANCE AND TH STATE?	IE WATERS OF TI	NG 🔨
IF NOT, PROVIDE EQUIVALENT CONTROL MEASURES IN THE SWPPP.		i

<sup>1</sup>Acreage for subdivision development includes areas disturbed by construction of roads, utilities and drainage. Additionally, a housesite of at least 10,000 ft<sup>2</sup> per lot (entire lot, if smaller) shall be included in calculating acreage disturbed.

# DOCUMENTATION OF COMPLIANCE WITH OTHER REGULATIONS/REQUIREMENTS COVERAGE UNDER THIS PERMIT WILL NOT BE GRANTED UNTIL ALL OTHER REQUIRED MDEQ PERMITS AND APPROVALS ARE SATISFACTORILY ADDRESSED

IS LCNOI FOR A FACILITY THAT WILL REQUIRE OTHER PERMITS?		
	YES	NO 🔨
IF YES, CHECK ALL THAT APPLY: AIR HAZARDOUS WASTE	PRETREATMENT	
WATER STATE OPERATING INDIVIDUAL NPDES	OTHER:	
IS THE PROJECT REROUTING, FILLING OR CROSSING A WATER CONVEYANCE OF ANY KIND? (If yes, contact the U.S. Army Corps of Engineers' Regulatory Branch for	YES <b>V</b> permitting requiremen	NO
IF THE PROJECT REQUIRES A CORPS OF ENGINEER SECTION 404 PERMIT, PRODOCUMENTATION THAT:	VIDE APPROPRIATE	
-The project has been approved by individual permit, or -The work will be covered by a nationwide permit and NO NOTIFICATION to the Corps is -The work will be covered by a nationwide or general permit and NOTIFICATION to the C	required, or orps is required	
IS THE PROJECT REROUTING, FILLING OR CROSSING A STATE WATER CONVEY OF ANY KIND? (If yes, please provide an antidegradation report.)	YANCE YES	NO
IS A LAKE REQUIRING THE CONSTRUCTION OF A DAM BEING PROPOSED? (If yes, provide appropriate approval documentation from MDEQ Office of Land and Water	YES r, Dam Safety.)	NO
IF THE PROJECT IS A SUBDIVISION OR A COMMERCIAL DEVELOPMENT, HOW VBE DISPOSED? Check one of the following and attach the pertinent documents.	VILL SANITARY SEV	VAGE
Existing Municipal or Commercial System. Please attach plans and specifications for associated "Information Regarding Proposed Wastewater Projects" form or approval Hancock, Harrison, Jackson, Pearl River and Stone Counties. If the plans and specifications of LCNOI submittal, MDEQ will accept written acknowledgement from official(s) respondent of the proposed project can and we properly. The letter must include the estimated flow.	from County Utility Auth s can not be provided at ponsible for wastewater	hority in t the time ·
Collection and Treatment System will be Constructed. Please attach a copy of the cove permit from MDEQ or indicate the date the application was submitted to MDEQ (Dat	r of the NPDES dischar e:	rge )
Individual Onsite Wastewater Disposal Systems for Subdivisions Less than 35 Lots. Pl of General Acceptance from the Mississippi State Department of Health or certificatio engineer that the platted lots should support individual onsite wastewater disposal systems.	n from a registered pro	e Letter fessional
Individual Onsite Wastewater Disposal Systems for Subdivisions Greater than 35 Lots feasibility of installing a central sewage collection and treatment system must be made response from MDEQ concerning the feasibility study must be attached. If a central c is not feasible, then please attach a copy of the Letter of General Acceptance from the certification from a registered professional engineer that the platted lots should support disposal systems.	by MDEQ. A copy of to ollection and wastewate State Department of He	the er system
INDICATE ANY LOCAL STORM WATER ORDINANCE (I.E. MS4)WITH WHICH THE	PROJECT MUST CO	MPLY:
City of Clinton Stormwater Management Plan - MS4		

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature of Applicant<sup>1</sup> (owner or prime contractor)

Date Signed

## Philip R. Fisher

Printed Name

Mayor

Title

'This application shall be signed as follows:

For a corporation, by a responsible corporate officer.

· For a partnership, by a general partner.

· For a sole proprietorship, by the proprietor.

For a municipal, state or other public facility, by principal executive officer, mayor, or ranking elected official

Please submit the LCNOI form to:

Chief, Environmental Permits Division

MS Department of Environmental Quality, Office of Pollution Control

P.O. Box 2261

Jackson, Mississippi 39225

Electronically:

https://www.mdeq.ms.gov/construction-stormwater/

Revised 3/23/22

From:

Bart Pittman

To:

Bill Owen

Subject:

{EXTERNAL}Fwd: [Non-DoD Source] ERBR-25-049(03), City of Clinton Pinehaven Drive Bridge Replacment

Date:

Thursday, February 15, 2024 3:29:54 PM

Attachments:

Encl 2 NWP3 Special Conditions.pdf Encl 3 2021 NWPs General Conditions, DEs Decision, Further Information.pdf

WOC - NWP3 - Certification.pdf

Bill,

See email below that I received from Tony Lobred this morning, please give me a call when you get a chance.

Thanks!

----- Forwarded message -----

From: Lobred, Anthony R CIV USARMY CEMVK (USA)

<a href="mailto:</a> <a href="mailto:Anthony.R.Lobred@usace.army.mil">Anthony.R.Lobred@usace.army.mil</a> <a href="mailto:Date: Wed, Feb 14">Date: Wed, Feb 14</a>, 2024 at 2:49 PM

Subject: RE: [Non-DoD Source] ERBR-25-049(03), City of Clinton Pinehaven Drive Bridge

Replacment

To: Bart Pittman < bartpittman@gmail.com >

Mr Pittman,

Based upon the information furnished (Attachment 1), it appears the proposed project located in Hinds County will be covered under Nationwide Permit No. 03 (Maintenance), notification requirements as specified in the December 27, 2021, Federal Register, Reissuance and Modification of Nationwide Permits; Final Rule; Notice (86 FR 73522), provided the activity complies with the Special Conditions (Attachment 2), the General Conditions (Attachment 3), and the Clean Water Act Section 401 Water Quality Certification (Attachment 4). It is your responsibility to read and become familiar with the attached conditions in order for you to ensure that the activity authorized herein complies with the Nationwide Permit.

Thank you for advising us of your plans. Please be advised that these activities are evaluated on a case-by-case basis. If you change your plans for the proposed work, or if the proposed work does not comply with the conditions of the Nationwide Permit, please contact me at (601) 631-5470, or by reply email. Please let me know if you have any questions regarding this determination and if I can be of further assistance. Please refer to ID #: MVK-2023-00856 when calling.

Respectfully,

Anthony R Lobred



## State of Mississippi

## TATE REEVES Governor

### MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

CHRIS WELLS, EXECUTIVE DIRECTOR
October 12, 2021

Jennifer Mallard U.S Army Corps of Engineers, Vicksburg District 4155 Clay Street Vicksburg, Mississippi 39183-3435

> Re: US Army Corps of Engineers Nationwide Permit No. 3 WQC No. WQC2021032

Pursuant to Section 401 of the Federal Water Pollution Control Act (33 U. S. C. 1251, 1341), the Office of Pollution Control (OPC) issues this Certification, after public notice and opportunity for public hearing, to the U.S. Army Corps of Engineers, an applicant for a Federal License or permit to conduct the following activity:

#### US Army COE, Nationwide Permits:

Nationwide Permits (NWPs) are general permits issued on a nationwide basis to streamline the authorization of activities that have no more than minimal and cumulative adverse effects on the aquatic environment. The U.S. Army Corps of Engineers issues NWPs to authorize certain activities that require Department of the Army permits under Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act of 1899.

#### 3. Maintenance.

(a) The repair, rehabilitation, or replacement of any previously authorized, currently serviceable structure or fill, or of any currently serviceable structure or fill authorized by 33 CFR 330.3, provided that the structure or fill is not to be put to uses differing from those uses specified or contemplated for it in the original permit or the most recently authorized modification. Minor deviations in the structure's configuration or filled area, including those due to changes in materials, construction techniques, requirements of other regulatory agencies, or current construction codes or safety standards that are necessary to make the repair, rehabilitation, or replacement are authorized.

This NWP authorizes the removal of previously authorized structures or fills. Any stream channel modification is limited to the minimum necessary for the repair, rehabilitation, or replacement of the structure or fill; such modifications, including the removal of material from the stream channel, must be immediately adjacent to the project. This NWP also authorizes the removal of accumulated sediment and debris within, and in the immediate vicinity of, the structure or fill. This NWP also authorizes the repair, rehabilitation, or replacement of those structures or fills destroyed or damaged by storms, floods, fire or other discrete events, provided the repair, rehabilitation, or replacement is commenced, or is under contract to commence, within two years of the date of their destruction or damage. In cases of catastrophic events, such as hurricanes or tornadoes, this two-year limit may be waived by the district engineer, provided the permittee can demonstrate funding, contract, or other similar delays.

- (b) This NWP also authorizes the removal of accumulated sediments and debris outside the immediate vicinity of existing structures (e.g., bridges, culverted road crossings, water intake structures, etc.). The removal of sediment is limited to the minimum necessary to restore the waterway in the vicinity of the structure to the approximate dimensions that existed when the structure was built, but cannot extend farther than 200 feet in any direction from the structure. This 200 foot limit does not apply to maintenance dredging to remove accumulated sediments blocking or restricting outfall and intake structures or to maintenance dredging to remove accumulated sediments from canals associated with outfall and intake structures. All dredged or excavated materials must be deposited and retained in an area that has no waters of the United States unless otherwise specifically approved by the district engineer under separate authorization.
- (c) This NWP also authorizes temporary structures, fills, and work, including the use of temporary mats, necessary to conduct the maintenance activity. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges of dredged or fill material, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. After conducting the maintenance activity, temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.
- (d) This NWP does not authorize maintenance dredging for the primary purpose of navigation. This NWP does not authorize beach restoration. This NWP does not authorize new stream channelization or stream relocation projects.

Notification: For activities authorized by paragraph (b) of this NWP, the permittee must submit a pre-construction notification to the district engineer prior to commencing the activity (see general condition 32). The pre-construction notification must include information regarding the original design capacities and configurations of the outfalls, intakes, small impoundments, and canals. (Authorities: Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (Sections 10 and 404))

Note: This NWP authorizes the repair, rehabilitation, or replacement of any previously authorized structure or fill that does not qualify for the Clean Water Act Section 404(f) exemption for maintenance. [NWP No. 3, WQC2021032].

The Office of Pollution Control certifies that the above-described activity will be in compliance with the applicable provisions of Sections 301, 302, 303, 306, and 307 of the Federal Water Pollution Control Act and Section 49-17-29 of the Mississippi Code of 1972, if the applicant complies with the following conditions:

- 1. The permittee shall obtain appropriate wastewater permits and/or approvals for the proposed activity prior to the commencement of construction activities. (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B) (Statement A)
- 2. For projects greater than five acres of total ground disturbances including clearing, grading, excavating, or other construction activities, the applicant shall obtain the necessary coverage under the State of Mississippi's Large Construction Storm Water General NPDES Permit. For projects greater than one, to less the five acres of total ground disturbances including clearing, grading, excavating, or other construction activities, the applicant shall follow the conditions and limitations of the State of Mississippi's Small Construction Storm Water General NPDES Permit. No construction activities shall begin until the necessary approvals and/or permits have been obtained. (11 Miss. Admin. Code Pt. 6, R. 1.1.1.B.) (Statement A & B)
- 3. Turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units. (11 Miss. Admin. Code Pt. 6, R. 2.2.A.) (Statement C)
- 4. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse. (11 Miss. Admin. Code Pt. 6, R. 2.2.A.(3)) (Statement C)

As part of the Scope of Review for Application Decisions, 11 Mississippi Administrative Code Part 6, Rule 1.3.4(B), the above conditions are necessary for the

Department to ensure that appropriate measures will be taken to eliminate unreasonable degradation and irreparable harm to waters of the State, such that the activity will not meet the criteria for denial:

- (A) Denial of wastewater permits and/or approvals by the State with regard to the proposed activities.
- (B) Nonpoint source/storm water management practices necessary to protect water quality have not been proposed.
- (C) The proposed activity permanently alters the aquatic ecosystem such that water quality criteria are violated and/or it no longer supports its existing or classified uses. An example is the channelization of streams

The Office of Pollution Control also certifies that there are no limitations under Section 302 nor standards under Sections 306 and 307 of the Federal Water Pollution Control Act which are applicable to the applicant's above-described activity.

This certification is valid for the project as proposed. Any deviations without proper modifications and/or approvals may result in a violation of the 401 Water Quality Certification. If you have any questions, please contact the Department.

Sincerely,

Krystal Rudolph, P.E., BCEE

Krustal Rudolph

Chief, Environmental Permits Division

KR: 1d

cc:

U.S. Army Corps of Engineers, Mobile District

U.S. Army Corps of Engineers, Memphis District

U.S. Army Corps of Engineers, Nashville District

U.S. Army Corps of Engineers, New Orleans District

Mississippi Department of Marine Resources

U.S. Fish and Wildlife Service

U.S Environmental Protection Agency, Region 4

Biologist/Senior Environmental Specialist FHWA/MDOT Transportation Liaison Regulatory Division Vicksburg District Corps of Engineers

Phone: (601) 415-5864

It is not about doing what is easy but rather doing what is right

----Original Message-----

From: Bart Pittman < bartpittman@gmail.com > Sent: Monday, November 06, 2023 9:48 AM

To: Lobred, Anthony R CIV USARMY CEMVK (USA)

< Anthony.R.Lobred@usace.army.mil>

Subject: [Non-DoD Source] ERBR-25-049(03), City of Clinton Pinehaven Drive Bridge

Replacment

Tony,

Please see the attached Wetland & OW Assessment report for ERBR-25-049(03). There is a considerable amount of proposed wetland impacts associated with this project due to the design requirements to raise the bridge elevation to provide for adequate freeboard and to include the spur dikes on the upstream side of the bridge improvements. I have advised them of potential mitigation cost but it does not appear further minimization is possible given the design criteria.

Please let me know if the evaluation of this project requires additional information from the applicant. A Phase 1 CR survey as requested by MDAH is currently being completed and will be forwarded to you once received.

Thank you!

Bart Pittman
Pittman Environmental Services, LLC
601-297-2487

Bart Pittman Pittman Environmental Services, LLC 601-297-2487