



STATE OF
COLORADO

Girardi - DNR, Chris <chris.girardi@state.co.us>

7458 WCR 42, M2025007- Inspection Report

1 message

Girardi - DNR, Chris <chris.girardi@state.co.us>

Mon, Mar 17, 2025 at 2:24 PM

To: csilco@ewingos.com

Cc: Jared Ebert - DNR <jared.ebert@state.co.us>

Good afternoon,

Attached to this email is a pdf of the inspection report for the inspection conducted at the address of 7458 W County Road 42, Johnstown, CO 80534.

A hard copy will not be delivered unless requested.

Please feel free to contact me if you have any questions.

Have a great day,

Chris Girardi

Environmental Protection Specialist Intern



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

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EwingOutdoorSupply_Feb2025_InspectionReport.pdf
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MINERALS PROGRAM INSPECTION REPORT
PHONE: (303) 866-3567

The Division of Reclamation, Mining and Safety has conducted an inspection of the mining operation noted below. This report documents observations concerning compliance with the terms of the permit and applicable rules and regulations of the Mined Land Reclamation Board.

MINE NAME: 7458 WCR 42 Site	MINE/PROSPECTING ID#: M-2025-007	MINERAL: NA	COUNTY: Weld
INSPECTION TYPE: Possible Illegal(Unpermitted Operation)	WEATHER: Clear	INSP. DATE: February 19, 2025	INSP. TIME: 09:00am
OPERATOR: Ewing Outdoor Supply	OPERATOR REPRESENTATIVE: Christian Silco	TYPE OF OPERATION: Distribution Yard	
REASON FOR INSPECTION: Citizen Complaint	BOND CALCULATION TYPE: None	BOND AMOUNT: NA	
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None	
INSPECTOR(S): Chris Girardi	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: March 17, 2025	

GENERAL INSPECTION TOPICS

This list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each. No problems or possible violations were noted during the inspection. The mine operation was found to be in full compliance with Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials and/or for Hard Rock, Metal and Designated Mining Operations. Any person engaged in any mining operation shall notify the office of any failure or imminent failure, as soon as reasonably practicable after such person has knowledge of such condition or of any impoundment, embankment, or slope that poses a reasonable potential for danger to any persons or property or to the environment; or any environmental protection facility designed to contain or control chemicals or waste which are acid or toxic-forming, as identified in the permit.

(AR) RECORDS----- <u>Y</u>	(FN) FINANCIAL WARRANTY----- <u>N</u>	(RD) ROADS----- <u>N</u>
(HB) HYDROLOGIC BALANCE----- <u>N</u>	(BG) BACKFILL & GRADING----- <u>N</u>	(EX) EXPLOSIVES----- <u>N</u>
(PW) PROCESSING WASTE/TAILING---- <u>N</u>	(SF) PROCESSING FACILITIES----- <u>N</u>	(TS) TOPSOIL----- <u>N</u>
(MP) GENL MINE PLAN COMPLIANCE- <u>N</u>	(FW) FISH & WILDLIFE----- <u>N</u>	(RV) REVEGETATION---- <u>N</u>
(SM) SIGNS AND MARKERS----- <u>N</u>	(SP) STORM WATER MGT PLAN---- <u>N</u>	(RS) RECL PLAN/COMP-- <u>N</u>
(ES) OVERBURDEN/DEV. WASTE----- <u>N</u>	(SC) EROSION/SEDIMENTATION--- <u>N</u>	(ST) STIPULATIONS----- <u>N</u>
(AT) ACID OR TOXIC MATERIALS----- <u>N</u>	(OD) OFF-SITE DAMAGE----- <u>N</u>	

Y = Inspected / N = Not inspected / NA = Not applicable to this operation / PB = Problem cited / PV = Possible violation cited

OBSERVATIONS

On February 19, 2025, Chris Girardi of the Division of Reclamation, Mining, and Safety (Division) conducted an inspection of the subject property after receiving an anonymous tip that an unpermitted mining operation was located at the address of 7458 WCR 42, Johnston, CO 80534. The property does not have a reclamation permit. Upon review of the property on the Weld County Parcel search, the Division identified the company Ewing Outdoor Supply as the property owner. The Division was referred to the Operations Manager, Christian Silco, who represented Ewing Outdoor Supply (Operator) during the inspection.

The property is located adjacent to the east of Great Western Railway of Colorado railroad tracks. The property is a distribution center for landscape materials, primarily mulch. Due to a recent snowstorm, several inches of snow blanketed the property. The property contained several large stockpiles of mulch (see Photo 5), and small stockpiles of gravel acquired from the Walstrum Quarry. According to the Operator, they had recently used a skid steer to scrape a layer of material along the railroad tracks due to safety concerns. Years of unloading wood-based materials, predominantly mulch, had caused a buildup of soft material along the railroad tracks. Heavy machinery would often dip into the ground along the tracks. After removing this soft material, the Operator encountered base material from the previous property owner adjacent to the rail line. This material was a soft, spongy material unsuitable to remain as the base along the tracks. The Operator replaced the removed base material and mulch by importing approximately fifty (50) to seventy (70) tons of 1.5-inch granite ballast to create a stable base. Some of the excavated material was then backfilled into concrete bins (see Photo 6). Some of the excavated material, consisting of primarily mulch, was placed in a small stockpile located on the north end of the parcel (see Photos 2-3).

Based on the Division's field observations, a reclamation permit will not need to be obtained by Ewing Outdoor Supply for the subject property at this time. It appears the grading work done at the site was for maintenance of their landscape material distribution operation. It does not appear the material excavated was construction material obtained from its natural occurrence on the property and therefore this activity does not meet the definition of a mining operation in accordance with Rule 1.1(30). If Ewing Outdoor Supply intends to excavate native construction material from the site to sell and/or transport off-site, then a reclamation permit would need to be obtained.

Photographs taken during the inspection are attached. If you need additional information or have any questions, please contact me at the Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at (720) 793-3041, or by email at chris.girardi@state.co.us.

PHOTOGRAPHS



Photo 1: View of company sign upon entering property from the north, facing west.



Photo 2: Excess excavated material, facing northwest.



Photo 3: View excess excavated material, facing west.



Photo 4: View of railroad from the perspective of the excess excavated material, facing southwest.



Photo 5: View of snow-covered mulch stockpiles, facing north.



Photo 6: View of snow-covered mulch stockpiles and the concrete bins (see arrow) containing the majority of the material excavated along the railroad tracks, facing south.

Inspection Contact Address

Christian Silco
Ewing Outdoor Supply
6601 S Santa Fe Dr
Littleton, CO 80120