



BOARD OF COUNTY COMMISSIONERS
LYON COUNTY NEVADA
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Yerington, Nevada 89447
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Andrew Haskin
County Manager

June 6, 2025

CEA Dairy RNG Nevada, LLC
C/O Zach Chapin
120 Tredegar St, 3rd Floor Clearinghouse
Richmond VA, 23219

RE: A request from CEA Dairy RNG Nevada, LLC for a Conditional Use Permit.

Dear Mr. Chapin:

The Lyon County Board of Commissioners, at a duly noticed public hearing held on Thursday, **June 5, 2025** considered the above-referenced application.

On the date indicated above, a Notice of Final Action was filed with the Lyon County Clerk, pursuant to NRS 278.0235 and NRS 278.3195, which starts the commencement of the twenty-five day limitation period specified therein.

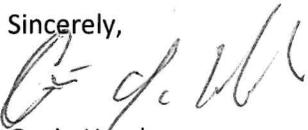
By **unanimous** vote (5 Ayes; 0 Nays; 0 Abstentions), the Board of County Commissioners **approved** the request from CEA Dairy RNG, Nevada LLC, for a Conditional Use Permit for the re-commissioning of a legally-existing, non-conforming use consisting of an anaerobic digester for methane production, and to ensure compliance with Nevada Division of Environmental Protection regulations, on land subject to Rural Residential 20-acre (RR-20) zoning, (APN 010-111-44) PLZ-2025-018, based on the following Conditions of Approval.

1. No change in the terms and conditions of the Conditional Use Permit (CUP), as approved, shall be undertaken without first submitting the changes to Lyon County Community Development and having them modified in conformance with Lyon County Code.
2. The applicant shall comply with all applicable Fire, building, zoning and improvement code requirements and obtain any necessary public inspections. All construction documents and separate applications must be submitted to the Smith Valley Fire Protection District and the Lyon County Building Department for review and approval to obtain a Building Permit. Contact the Smith Valley Fire Protection District directly for direction on their review process.
3. The applicant is required to submit for a separate and independent Fire Plan review by the Smith Valley Fire Protection District. Contact the Division directly for more information and direction on the submittal and permitting process.
4. The applicant shall acquire all Lyon County, state and federal permits necessary for the operation of the methane digester system as well as obtain all of the necessary public inspections.
5. The applicant shall provide Lyon County with confirmation from the Nevada Division of Environmental Protection's Chemical Accident Prevention Program that the proposed and existing uses are in compliance with Nevada Revised Statutes 278.147 as required, per this authorization of a Conditional Use Permit.
6. The applicant shall maintain a Lyon County business license for the use while occupying the site.

7. Prior to the issuance of a Lyon County Business License, the applicant shall submit an Emergency Response and Notification Plan to the Community Development Director for review and approval. The Plan shall include coordination with the responding Fire Protection District, the Lyon County Emergency Management Division, and the Lyon County Sheriff's Department.
8. The methane tanker truck must use Lower Colony Road and Hunewill Lane for access.
9. Light fixtures for the digester system must be full cutoff, casting light downward to minimize light pollution off-site.
10. Sound from the digester operation shall not exceed the maximum environmental noise level at the property line during daytime of sixty-five (65) dBA (decibels A-weighted) and nighttime of sixty (60) dBA as averaged over a one-hour monitoring period. The Community Development Director reserves the right to require a sound study, at the operator's expense, to determine the sound levels at the subject property boundary to verify compliance with this Condition of Approval. If the sound study determines that the use permitted per this Conditional Use Permit exceeds the limit allowed, the authorization may be rescinded at the discretion of the Director.
11. All contractors doing any construction, modifications, or remodels must be licensed in Lyon County and the State of Nevada.
12. The substantial failure to comply with the conditions imposed on the issuance of this conditional use permit or the operation of the conditional use in a manner that endangers the health, safety or welfare of Lyon County or its residents or the violation of ordinances, regulations or laws in the conditional use may result in the institution of revocation proceedings. **Failure to initiate the conditional use permit within two (2) years from the date of approval will result in the expiration of the conditional use permit approval.**

If you have any questions or concerns, please feel free to contact the Community Development Department at 775-463-6592.

Sincerely,



Gavin Henderson
Community Development Director

Cc: File

Clerk's Office

Smith Valley Advisory Board

Virginia Weis (Dominion Energy), 120 Tredegar St, 3rd Floor Clearinghouse, Richmond VA, 23219

Kansas Dairies II, LLC, 41362 US Hwy 395 N 102-45, Gardnerville NV, 89410

Dawn Bradley (Kiewit), 585 N Dairy Ashford, Ste 100, Houston TX 77079