



Warsaw, 31.01.2007 r.

MINISTER OF THE ENVIRONMENT

Jan Szyszko

DGPŚiZK-076/3911/06/uap

LETTER OF APPROVAL

Referring to the project **Lake Ostrowo Wind Farm** (the JI Project), submitted by **Elsam Kraft A/S** (Danish party) represented by **Kappa Sp. Z o.o.** (the Project Host), taking into account, that the Project Host declares to provide the financing of the JI Project, I herewith declare that:

- 1 The Republic of Poland is a Party to the United Nations Framework Convention on Climate Change and the Kyoto Protocol.
- 2 Republic of Poland will comply with the requirements to participate in Article 6 Kyoto Protocol projects as stated in the Marrakech Accords.
- 3 I recognize the JI Project to be a Joint Implementation project in accordance with article 6 of the Kyoto Protocol and its underlying decisions.
- 4 I authorize the Project Host, Kappa Spolka z o.o., and any future owner of the JI Project to generate Claims on ERUs, by operation of the JI Project, in accordance with article 6 of the Kyoto Protocol.
- 5 I accept the transfer 85% of verified ERUs, generated through the JI Project to the Danish party during the period 2008 – 2012. Using the baseline scenario the 85% transfer is estimated to an amount of 336 198 ERUs.
- 6 In case that Republic of Poland and Kingdom of Denmark fully comply with the participation requirements of the Marrakech Accords, the transfer of ERUs will be based on article 23 of these Accords ('JI track one').
- 7 Provisions of this Letter of Approval will enter into force when the Danish party receives from Danish government authorization to participate in JI projects in accordance with article 6 of the Kyoto Protocol
- 8 The transfer of ERUs from Poland to Danish party will be free of any taxes or levies, if it is pursuant to the law of European Union and law of Republic of Poland and Kingdom of Denmark.
- 9 ERUs generated from the implementation of the project shall not be a subject of any legal or other transfer to third parties.

Provisions of this Letter of Approval will enter into force only if annual natural monitoring, done before investment realization, does not show that this investment has negative influence on surrounding natural environment, especially on birds species, for which areas Natura 2000 are determined.

Andrzej Szewczuk
Z up. Ministra
Podsekretarz Stanu
Główny Konserwator Przyrody
Andrzej Szewczuk