### **AT: It’s a restriction on drilling**

No, it’s a regulation that can be overrided, and it’s only on the literal land, not the oil underneath it which is still completely accessible.

EIS No Date

A fluid mineral leasing stipulation that prohibits occupancy or disturbance on all or part of the lease surface in order to protect special values or uses. Lessees may develop the oil and gas or geothermal resources under leases restricted by this stipulation through use of directional drilling from sites outside the no surface occupancy area.

### **2NC A2: We Meet Financial Incentive**

#### They don’t meet financial incentives- financial incentives are only direct financial transfers that are designed to attract investors for the production of energy

Czinkota et al, 9 **-** Associate Professor at the McDonough School of Business at Georgetown University (Michael, Fundamentals of International Business, p. 69 – google books)

Incentives offered by policymakers to facilitate foreign investments are mainly of three types: fiscal, financial, and nonfinancial. **Fiscal incentives** are specific tax measures designed to attract foreign investors. They typically consist of special depreciation allowances, tax credits or rebates, special deductions for capital expenditures, tax holidays, and the reduction of tax burdens. Financial incentives offer special funding for the investor by providing, for example, land or buildings, loans, and loan guarantees. **Nonfinancial incentives** include guaranteed government purchases; special protection from competition through tariffs, import quotas, and local content requirements, and investments in infrastructure facilities.

And, even if the plan eventually were to eventually lead to special funding for the investor, it doesn’t do so on face, which means it links to our effects T DA- allows affs like the “increase export terminals” version of natural gas that are unpredictable and lower long term costs

#### And, their interp links to all our offense- defining incentives broadly creates conceptual confusion and makes ANY ACTION an incentive- the aff blurs the line- market responses to better trade conditions are not incentives

Grant, 02

- professor of political science at Duke University (Ruth, “THE ETHICS OF INCENTIVES: HISTORICALORIGINS AND CONTEMPORARY UNDERSTANDINGS,” Economics and Philosophy, 18 (2002) 111, proquest)

This history also allows us to define more clearly what ` incentives' means. Currently, the term is used so broadly that it is often almost synonymous with motivation altogether. But, despite its current quite general usage, a distinctive specific meaning of the term remains, one that is easier to identify after taking this historical journey. The specific meaning can be illustrated by identifying those situations where only the word `incentive' will do. Very often, the term is now used where another would do equally well. For example, `incentive' is sometimes used as if it were a synonym for `reward', but they do not mean exactly the same thing. A reward or punishment, unlike an incentive or disincentive, is understood to be merited or deserved. Offering a reward may serve as a motivator or incentive to action, but the two are quite distinct in principle. People can win awards, for example, without even knowing in advance that they were eligible. They deserve the reward, and there is no element of motivation involved at all. Similarly, `incentive' is sometimes used as if it were synonymous with `motivation' generally speaking. But there are several important sorts of motivation that are not suggested by the term. When we speak in this way, we implicitly deny the phenomena of habitual behavior, or action motivated by a sense of responsibility or of the reasonableness of a course of action (with reasonableness here understood as something other than individual utility maximization), or the way in which a role model or ideal can serve as motivator. Action which is initiated by the individual or understood as internally motivated is not really compre-hended in the concept of motivation as incentive. Incentives are external prompts to which the individual responds. The use of `incentives' to speak of market forces is also problematic, though it is easy to see the logic of this development within the language of economics. If one company lowers the price of its product, we might readily say that other companies now have an incentive to lower theirs. But we would not say that the first company offered all other companies an incentive to lower their prices.55 Market forces are not conscious and intentional, and their rationale is intrinsic to the economic process itself. We might just as well say in this situation that the first company's lower price is a good reason for other companies to lower theirs given that they need to remain competitive. The term `incentive' says nothing that `reason' cannot say as well in this case. A similar logic applies to speaking of loan conditions as incentives. The International Monetary Fund may make a loan to a nation only on condition that it alter its inflationary policies. If the reason for the condition is intrinsic to the IMF's own financial aims, `incentive' may be a misnomer. The situation is like that of requiring a certain training as a condition for the practice of medicine; we would be unlikely to refer to this as an `incentive' to go to medical school for people who wish to become doctors.56 When the IMF is criticized for using financial incentives unethically to control the internal policies of borrowing nations, it is because the critics suspect that its real purposes are political rather than strictly limited to the legitimate concern to secure the financial health of the Fund. The distinction between market forces and incentives can be illustrated further by considering the difference between wages as compensation and incentives as bonuses in employment. Compensation means `rendering equal', a `recompense or equivalent', `payment for value received or service rendered', or something which `makes up for a loss' ± as in the term `unemployment compensation'. Compensation equalizes or redresses a balance, and so, to speak of `fair compensation' is entirely sensible. But to speak of a `fair incentive' is not. An incentive is a bonus, which is defined as something more than usually expected, that is, something that exceeds normal compensation. It is an amount intentionally added to the amount that would be set by the automatic and unintentional forces of the market. An incentive is also a motive or incitement to action, and so an economic incentive offered to an employee is a bonus designed to motivate the employee to produce beyond the usual expectation. It should be obvious then, that compensa- tion and incentives are by no means identical. The per diem received for jury service, for example, is a clear case of compensation which is not an incentive in any sense. It is not difficult to see how it might have happened that the boundaries were blurred between the specific conception of incentives and conceptions of the automatic price and wage-setting forces of the market. Both can be subsumed under very general notions of thefactors that influence our choices or motivate action, and `incentives' carries this general meaning as well. Nonetheless, the blurring of that boundary creates a great deal of confusion. Incentives, in fact, are understood better in contradistinction to market forces than as identical to them. It is only by maintaining a clear view of their distinctive character that the ethical and political dimensions of their use are brought to light. Moreover, conceptual clarity and historical understanding go hand in hand in this case. It should no longer be surprising to find that the term `incentives' is not used by Adam Smith in first describing the operation of the market, but appears instead at a time when the market seemed inadequate in certain respects to the demands presented by changing economic circumstances. Other eighteenth and nineteenth- century ideas, often taken as simple precursors of contemporary analyses of incentives, can now be seen in their distinctive character as well. For example, Hume and Madison offer an analysis of institutional design which differs significantly from `institutional incentives', though the two are often confused. These thinkers were concerned with preventing abuses of power. They sought to tie interest to duty through institutional mechanisms to thwart destructive, self-serving passions and to securethe public good. Contemporary institutional analyses, by contrast, proceed without the vocabulary of duty or public good and without the exclusively preventive aim. Institutional incentives are viewed as a means of harnessing individual interests in pursuit of positive goals.57 Similarly, early utilitariandiscussions, Bentham's in particular, differ markedly from twentieth century discussions of incentives despite what might appear to be a shared interest in problems of social control. Again, Bentham is interested entirely in prevention of abuses or infractions of the rules. The rationale for his panopticon is based on the observation that prevention of infractions depends upon a combination of the severity of punishment and the likelihood of detection.58 If the latter could be increased to one hundred per cent, through constant super- vision and inspection, punishment would become virtually unnecessary.This is a logic that has nothing whatever to do with the logic of incentives as a means of motivating positive choices or of encouraging adaptive behavior.

#### Even if they win they’re a financial incentive, it is *not for production*- the incentive is to increase our leasing for natural gas drilling sites in the OCS. It would be just as logical for the result of the plan to be that US producers decrease their domestic sales of natural gas and dump it into the European markets, since there is a glut of gas in the US.

#### Incentives must be directly tied to energy production—their interpretation unlimits—allows incentives for any economic activity tangentially related to energy production

Tacoa-Vielma, counsellor – Trade in Services Division @ WTO, ‘3

(Jasmin, “ENERGY AND ENVIRONMENTAL SERVICES: Negotiating Objectives and Development Priorities,” unctad.org/en/docs/ditctncd20033\_en.pdf)

Another perceived deficiency relates to the fact that a variety of other services that intervene in the energy value-added chain (from production to sale to final consumers) are found in the whole range of services sectors on the list, e.g. research and development, engineering, construction, management consultancy, environmental, financial and distribution services. These services could be termed "energy-related services" because of their relevance, but not exclusivity, to the energy industry. It has been argued that such dispersion of “energy-related services” makes it difficult to determine existing commitments and to negotiate the totality of the services necessary for the energy industry; that would make sense from an economic viewpoint. However, this situation is not unique to the energy industry, as most economic activities or industries require a variety of services inputs that in many cases are designed or adapted for different end-uses. For example, there are engineering, financial or construction services especially tailored for the energy industry as well as for the telecom industry.4 Having an all-encompassing definition of the energy services sector would certainly facilitate considering the totality of services involved in the industry; however, that should not be equated to a guarantee of complete coverage by GATS commitments.

### 2NC AT Reasonability

#### Reasonability is impossible – it’s arbitrary and undermines research and preparation

Resnick, assistant professor of political science – Yeshiva University, ‘1

(Evan, “Defining Engagement,” Journal of International Affairs, Vol. 54, Iss. 2)

In matters of national security, establishing a clear definition of terms is a precondition for effective policymaking. Decisionmakers who invoke critical terms in an erratic, ad hoc fashion risk alienating their constituencies. They also risk exacerbating misperceptions and hostility among those the policies target. Scholars who commit the same error undercut their ability to conduct valuable empirical research. Hence, if scholars and policymakers fail rigorously to define "engagement," they undermine the ability to build an effective foreign policy.

#### And, they’re not even reasonably T, Environmental Trusts buy leases to prevent drilling- justifies aff with advantages based on the permanent closure of these sites.

**Gruver 12 (October 10, 2012. Mead Gruver, http://www.huffingtonpost.com/2012/10/05/trust-for-public-land-wyoming\_n\_1942194.html)**
CHEYENNE, Wyo. (AP) — A land conservation group has reached a long-sought agreement to prevent a gas drilling project near a southern approach to Jackson Hole and Grand Teton National Park by buying out a vast area of mineral leases.¶ The Trust for Public Land plans to buy out 58,000 acres of oil and gas leases owned by Houston-based Plains Exploration and Production Co. for $8.75 million, the San Francisco-based group tells The Associated Press.¶ The announcement opens a fundraising effort by the trust. Almost half the money needs to be raised if the deal is to be closed at the end of the year as the agreement requires.¶ PXP confirmed the agreement with the conservation group, set to be announced at a news conference later Friday in Jackson. Wyoming Gov. Matt Mead planned to attend.¶ "PXP has repeatedly stated our willingness to consider a buyout of our lease position if a valid offer was tendered. Today's announcement fulfills that pledge," PXP vice president Steve Rusch said in a statement.¶ The deal would end PXP's plan to drill 136 gas wells near the Hoback River headwaters inside Bridger-Teton National Forest. Opponents said the project would pollute the air, harm wildlife and taint pristine streams in a rolling landscape of meadows and forest.¶ Eighty-five percent of the buyout acreage is within an area where the 2010 Wyoming Range Legacy Act prohibits future oil and gas development. The law doesn't apply to the PXP leases.¶ The company acquired the Eagle Prospect/Noble Basin drilling leases a few miles south of Bondurant in 2005. The pre-existing leases were grandfathered in under the act.¶ The drilling project was located near a southern approach to Jackson Hole used by many visitors to Grand Teton and Yellowstone national parks.¶ Upon acquiring the leases, the Trust for Public Land intends to turn them over to the federal government to permanently retire them, said Deborah Love, the group's Northern Rockies director in Bozeman, Mont.¶ "We're respecting those leaseholder rights and we're paying something for them. But also we're ensuring that this incredible resource is protected," Love said.¶ The trust has secured $4.5 million for the deal but needs to raise the other $4.25 million by Dec. 31, she said.¶ Low natural gas prices played a role in the agreement. Rusch said PXP has been shifting away from low-margin natural gas toward higher priced oil in recent years.¶ The company could have completed the project in an "environmentally sensitive manner," but the trust's interest was advantageous to everybody involved, he said.¶ The deal should encourage owners of a handful of much smaller leases within the Wyoming Range Legacy Act territory to sell or donate, said Love.