CP

#### Federal policies crowd out the states—reduces demand for state action

Adler 7 (Jonathan H – Professor of Law and Co-Director, Center for Business Law and Regulation, Case Western Reserve University School of Law, ., “WHEN IS TWO A CROWD? THE IMPACT OF

FEDERAL ACTION ON STATE ENVIRONMENTAL REGULATION”, 31 Harv. Envtl. L. Rev. 67, Lexis)

A second potential negative indirect effect of federal regulation on state regulatory choices is crowding

AND

lower with federal regulation than it would be without it. [\*102]

#### Perm fails – preemption means it’s net worse

Leshy 4 (John D., Distinguished Professor of Law – University of California Hastings College of the Law, “Natural Resources Policy in the Bush Administration: an Outsider's Somewhat Jaundiced Assessment,” Duke Environmental Law & Policy Forum, Spring, 14 Duke Envtl. L. & Pol'y F. 347, Lexis)

VI. Traditional conservative principles, like promoting free markets and devolving governmental responsibilities to

AND

preempt state regulation of rights-of-way for energy facilities. n42

#### Doesn’t solve

Zimmerman 1 (Joseph F., Professor of Political Science – State University of New York at Albany, Publius, Spring, p 16)

Examining this list, it becomes apparent that different institutional features of the federal structure

AND

definition requires that different states attempt different solutions to the same social problems.

50 State Fiat/Multi-Actor Fiat Good – 2NC

#### 1NC Bryner advocates devolution.

Bryner 2 (Gary C. - Professor, Department of Political Science, Brigham Young University, and Research Associate, Natural Resources Law Center. University of Colorado School of Law., “ARTICLE: Policy Devolution and Environmental Law: Exploring the Transition to Sustainable Development”, Fall, 26 Environs Envtl. L. & Pol'y J. 1, lexis)

Despite global agreements that appeal to sustainability, the concept seems more likely to serve

AND

communities as they develop plans and policies for making economic activity more sustainable.

#### All 50 states should implement energy policies

Milford 10 (Lewis – The founder and president of Clean Energy Group (CEG), “Federal Climate and Energy Legislation and the States: Legislative Principles and Recommendations for a New Clean Energy Federalism”, April, http://www.cleanenergystates.org/assets/Uploads/CEGCleanEnergyFederalismv3April2010.pdf)

States should and will remain the laboratories of experimentation and innovation on technology and economic

AND

policy and laws that are more stringent and aggressive than the federal programs.

A2: Perm – Do CP

#### Clearly severs– the states reduce restrictions/increase incentives. The federal government only devolves authority.

#### They have to defend only federal action

Webster’s 76 (New International Dictionary Unabridged, p. 883)

Federal government. Of or relating to the central government of a nation, having the character of a federation as distinguished from the governments of the constituent unites (as states or provinces).

#### Perm severs immediacy -

#### 'Substantial' must be at the present time

Words and Phrases 64 (40W&P 759)

The words" outward, open, actual, visible, substantial, and exclusive

AND

or pertaining to any others; undivided; sole; opposed to inclusive.

#### “Should” means immediate

Summer 94 (Justice, Oklahoma Supreme Court, “Kelsey v. Dollarsaver Food Warehouse of Durant”, http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn14)

4 The legal question to be resolved by the court is whether the word "

AND

. 336, 337, 27 L.Ed. 201 (1882).

Solvency – 2NC – Devolution

#### CP solves 100% of case – it devolves the authority to do the plan to each state and has the states implement the same action in a functionally different manner

#### **Federal energy policy is implemented by the states anyway – any solvency deficit to the CP is a solvency deficit to the aff**

Rabe 4 (Barry G. – Professor of Environmental policy, University of Michigan, and Director – Program in the Environment, 2004, “Statehouse and Greenhouse: The Emerging Politics of American Climate Change”, pg. 17)

Climate change has not figured prominently in these studies, and yet many policy areas

AND

continue to be heavily influenced by regulatory initiatives form California and northeastern states.

Renewables

#### Any risk of the disad outweighs –

#### --Magnitude – warming is the most likely scenario for extinction

**End** **Times 6** (New York End Times, Non-Partisan News Filter Monitoring World Events Pertaining to Extinction, “The Extinction Scale”, 10-16, http://newyorkendtimes.com/extinctionscale.asp)

#### 2. High prices make clean tech cost competitive --- reverse causal evidence.

**Dorning 11** (Mike, Reporter for Bloomberg News, *For Obama, High Oil Prices Have a Green Lining*, Politics & Policy, March 17th, http://www.businessweek.com/magazine/content/11\_13/b4221037244553.htm)

**4. High prices cause momentum for renewables in the sort term.**

**Schaps 11** (Karolin & Keiron Henderson, Staff Writers @ Reuters, London, March 27th, <http://www.reuters.com/article/2011/03/27/us-renewables-nuclear-pwc-idUSTRE72Q2UA20110327>)