### 1NC

#### A. Interpretation: crude oil is raw petroleum, as it comes from the ground

Hunt 79 [Manager, Energy Systems Division, McLaughlin Research Corporation]

V. Daniel, ENERGY DICTIONARY, p. 106]

**crude oil**. **Raw petroleum as it comes from the earth, in its natural unprocessed,**

**unrefined state**. It is composed principally of hydrocarbons with traces of sulfur,

nitrogen, or oxygen compounds. It is liquid at atmospheric pressure after passing

through surface separating processes and does not include natural gas products.

#### **The newest definitions exclude biofuels from oil production**

EPI 7 (Earth Policy Institute, “World Oil Production, 1950-2007,” November, www.earthpolicy.org/datacenter/xls/book\_pb3\_ch2\_1.xls)

Note: Oil production includes natural gas liquids, oil from non-conventional sources, and processing gains. IEA oil production data has been corrected to remove biofuel production, and so differs from values given in Chapter 2 text.

#### B. Violation—the plan directly subsidizes ALGAE production NOT one of the energies listed in the topic

#### C. Reasons to prefer:

#### 1. Limits: allowing non-listed energies explodes the topic—they could literally invest in ANY plant in existence and claim that it provides energy

#### 2. Ground: they can spike out of all our crude oil strategies by claiming to be a different form of oil—means we can’t read any of our generic strategies which are key to neg ground on an already very large topic

#### 2. Effects bad: Plan is a direct investment in *algae* and not crude oil itself. They’ll say it can be converted but that means it’s NOT crude oil—this is from their 1AC card:

UPI 12 (UPI, Energy Resources: U.S. Energy Department backs plan to produce algae crude oil Jan 16, 2012, United Press International, 8-13-12, http://www.upi.com/Business\_News/Energy-Resources/2012/01/16/US-Energy-Department-backs-plan-to-produce-algae-crude-oil/UPI-61091326752182/#ixzz22yEYbJZ6)

Raw algae can be converted into a crude oil that can be processed at existing petroleum refineries before distribution as a substitute for gasoline and other processed fuels, new research has found.

#### A. Unlimits the topic and means any action taken could eventually be topical

#### B. Unpredictable and unfair research burden: we can’t predict and research the rash of untopical actions that they justify

#### 3. Voter for fairness and education

#### 

### A2: Perm – Do Both

#### -- Links to politics – includes immediate federal action. Perm doesn’t shield: state support is slow. Delay means it won’t take effect until after the vote.

#### \*-- Impossible – CP transfers authority to the states. The federal government can’t do it while transferring authority to the states – if they can – it’s intrinsic because it adds a new time element that is neither in the plan or counterplan – that’s a voting issue

#### 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

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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

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

### Solves – 2NC – 50 States

#### Counterplan solves 100% of case –

#### CP solves better - Closer ties to the market mean that states solve better through a bottom up approach to energy policy that allows them to be more responsive to challenges than the federal government – that’s Milford 10

#### Incentives from states work just as well

Zaidi 7 (Kamaal, “WIND ENERGY AND ITS IMPACT ON FUTURE ENVIRONMENTAL POLICY PLANNING: POWERING RENEWABLE ENERGY IN CANADA AND ABROAD”, 2007, 11 Alb. L. Envtl. Outlook 198, lexis)

The growing emergence of renewable energy highlights the importance of searching for cheaper, cleaner

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wind energy that minimizes [\*274] the impact on local environments. n523

**States have the resources – are already providing some financial incentives and implementing energy policy details related to these incentives – that’s Piscitello and Bogach**

#### **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

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

#### States can enact energy policy everywhere – solves the case

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. 151)

Collectively, these policies may point to an alternative policy architecture for addressing climate change

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programs that disclose carbon dioxide emission levels to the state and general citizenry.

Micro manage indict – block grants

#### Empirically false – we’ve had federalism for over 200 years with no impact

#### No link – even if modeling occurs, NO evidence says they model individual decisions; it assumes structure of government

#### Energy decisions are already decentralized – the CP is a drop in the bucket

Klass 12 (Alexandra - Professor of Law, Associate Dean for Academic Affairs, and Solly Robins Distinguished Research Fellow, University of Minnesota Law School, “Interstate Transmission Challenges for Renewable Energy: A Federalism Mismatch”, 2012, http://www.law.northwestern.edu/searlecenter/papers/Klass\_Transmission\_Article\_2\_12.pdf)

In the absence of U.S. comprehensive federal policies to reduce greenhouse gas

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),25 feed-in tariffs, tax incentives, and taxes.26

. State policies cause growing production of Biofuels

Doug Koplow, Earth Track, Inc., 2006, “BIOFUELS - AT WHAT COST ? Government support for ethanol and biodiesel in the United States,” http://www.globalsubsidies.org/files/assets/pdf/Brochure\_-\_US\_Report.pdf MH

Tracking government subsidies to ethanol and biodiesel across the United States presents a major challenge

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number of large state subsidies that currently apply to only a small base.

2. States can encourage private sector development for clean energy use by the military

Associated Press, 7-24-2008, “Air Force sign clean energy agreements,” Lexis MH

The state, the U.S. Air Force and three New Mexico cities

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could be a cogeneration project to generate electricity and bio-methane gas.