<table>
<thead>
<tr>
<th>Key NEPA Requirements</th>
<th>1978 Rules</th>
<th>2020 Rollback</th>
<th>Phase 1 Final Rule (2022)</th>
<th>Phase 2 (proposed 2023)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Sponsor Can Prepare Documents</td>
<td>No</td>
<td>Yes, under supervision of agency</td>
<td>Restored 1978 provision</td>
<td>Yes, pursuant to guidance adopted by each agency*</td>
</tr>
<tr>
<td>Tiering to programmatic analyses</td>
<td>“Encouraged” to tier EISs as appropriate</td>
<td>Provides additional guidance</td>
<td>Not addressed</td>
<td>Can tier to programmatic analysis in 5 years w/o further review; after 5 years w/ review*</td>
</tr>
<tr>
<td>Agencies can “borrow” CEs</td>
<td>No</td>
<td>Yes</td>
<td>Not addressed</td>
<td>Yes* Agencies can also establish CEs through land use plans or PEIS decision document + “extraordinary circumstances” when CE doesn’t apply</td>
</tr>
<tr>
<td>Time limits</td>
<td>None</td>
<td>2 years for EISs 1 year for EAs</td>
<td>Not addressed</td>
<td>No change*</td>
</tr>
<tr>
<td>Page limits</td>
<td>EISs 150/300 pp. EAs 75 pp.</td>
<td>EISs 150/300 pp. EAs 75 pp.</td>
<td>Not addressed</td>
<td>No change* (limits don’t include citations or appendices)</td>
</tr>
</tbody>
</table>

* Required under the Fiscal Responsibility Act (2023)