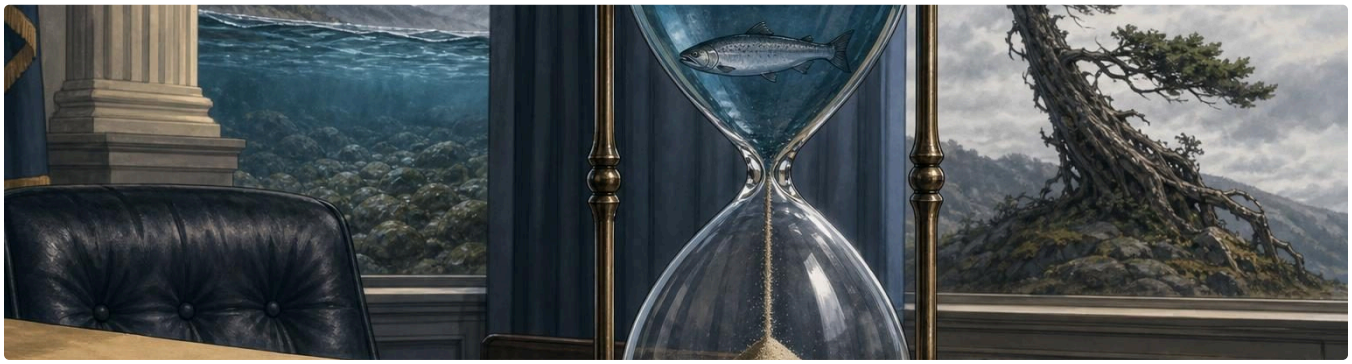
When Protection for Endangered Species Arrives Late

Canada's wildlife law shows a hard balance: careful consultation can protect fairness, but delay can leave species exposed.



An hourglass on a desk separates a salmon and a small pine tree, symbolizing delayed protection for at-risk species.

A new analysis says many **endangered species** in Canada are waiting years for legal **protection**, even after scientists have found they are at risk. According to research described in The Conversation and republished by Phys.org, species that need protection under Canada's Species at Risk Act have waited nearly two and a half years on average since 2017 to formally receive it. The authors argue that this is not a rare paperwork problem, but a pattern that has lasted for nearly two decades.

The issue matters because legal listing is the step that turns scientific concern into enforceable rules. Canada's Species at Risk Act, often shortened to SARA, protects **wildlife** that may disappear from Canadian lands or waters. Once a species is listed as **extirpated**, endangered, or **threatened**, it becomes illegal to kill, harm, or capture it, or to damage its residences. Extirpated means a species no longer lives in one region even if it still exists somewhere else. The law also requires protection of critical **habitat**, meaning the places a species needs to survive and reproduce, at least on federal land.

The process has two main stages. First, an independent scientific body called the Committee on the Status of Endangered Wildlife in Canada, or COSEWIC, reviews the condition of a species and recommends whether it should be listed. Then the federal government consults with Indigenous rights holders, provincial and territorial governments, scientific experts, industry, and the public. That second stage is meant to weigh broader social and economic consequences before the federal Cabinet, the top executive decision-making group in Canada's government, makes a final decision.

That is where the trade-off begins. Consultation can be essential, especially when a listing decision could affect Indigenous rights, local economies, industries, or provincial governments. A rushed process could ignore people who have legal rights or practical knowledge about the land and water involved. But the article reports that every delay the researchers found happened before a species reached Cabinet, during the stage with no firm **deadline** under SARA. If the process stretches for years, the scientific warning may sit in limbo while the species continues to decline.

Canada tried to address the problem in 2017 with a **nonbinding** policy. Nonbinding means the policy recommends a timeline but does not force the government to meet it. The policy said consultations

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should usually take no more than 12 months, or 24 months for species needing extended consultation. The researchers found that this did not solve the problem. For species forwarded to Cabinet since 2017, the consultation stage ran an average of 477 days past the recommended timeline. Before the policy, the average was 484 days.

The backlog is larger than the species that eventually moved forward. Of 288 species assessed since 2017, 153 were still waiting and already overdue, according to the article. Only 6 percent were forwarded on time, a lower share than in the eight years before the 2017 policy. Some cases have lasted far longer. Limber pine was assessed as endangered in 2014, and the minister responded in 2015. Consultations were completed in 2021, but the species still had not been forwarded to Cabinet, leaving individual trees and their habitat without federal protections under SARA.

Aquatic species appear to face especially severe delays. The article says none of the 49 marine fish assessed since 2017, including many Pacific salmon populations, and none of the 15 marine mammals assessed in that period had been forwarded to Cabinet. The Bay of Fundy striped bass, a freshwater fish, was first assessed as threatened in 2004 and is now endangered, but remains unlisted under SARA. In these cases, delay is not neutral. A species can become harder to recover while the government is still deciding what to do.

The authors do not argue that consultation should be eliminated. Instead, they argue that the process needs clearer rules and more public accountability. They point out that for more than 40 percent of delayed species described in the 2023 SARA annual report, consultations were already complete, but the process had stalled without a clear explanation of what came next. Some overdue species were not included in that report at all. When government reports give broad explanations such as ongoing information collection, the public may not be able to tell whether delay is careful decision-making, political avoidance, or administrative overload.

The disagreement, then, is not simply science versus politics. It is about how a democracy should act when scientific evidence says time matters, but the decision will affect people and governments beyond the scientists. Binding deadlines could push agencies to act and make delay harder to hide. But deadlines also raise a real question: what happens if consultation is incomplete when the clock runs out? Canada’s endangered species problem shows that protecting wildlife is not only about knowing what is at risk. It is also about whether a government can make difficult decisions fast enough for protection to mean anything.

Written from reporting by Phys.org.

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THINK IT THROUGH

1. Should endangered-species decisions have binding deadlines even if consultation is not finished, or should consultation take priority over speed? Defend your position.

2. When a government misses its own recommended timelines, what kind of explanation should the public be entitled to receive?

3. How might this case change the way you think about laws that sound strong on paper but depend on slow administrative processes?

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W	E	G	N	I	R	T	S	N	I	A	I	P	T	T	N	E	I
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CONSULT DEADLINE ENDANGERED EXTIRPATED HABITAT
NONBINDING PROTECTION SPECIES THREATENED WILDLIFE

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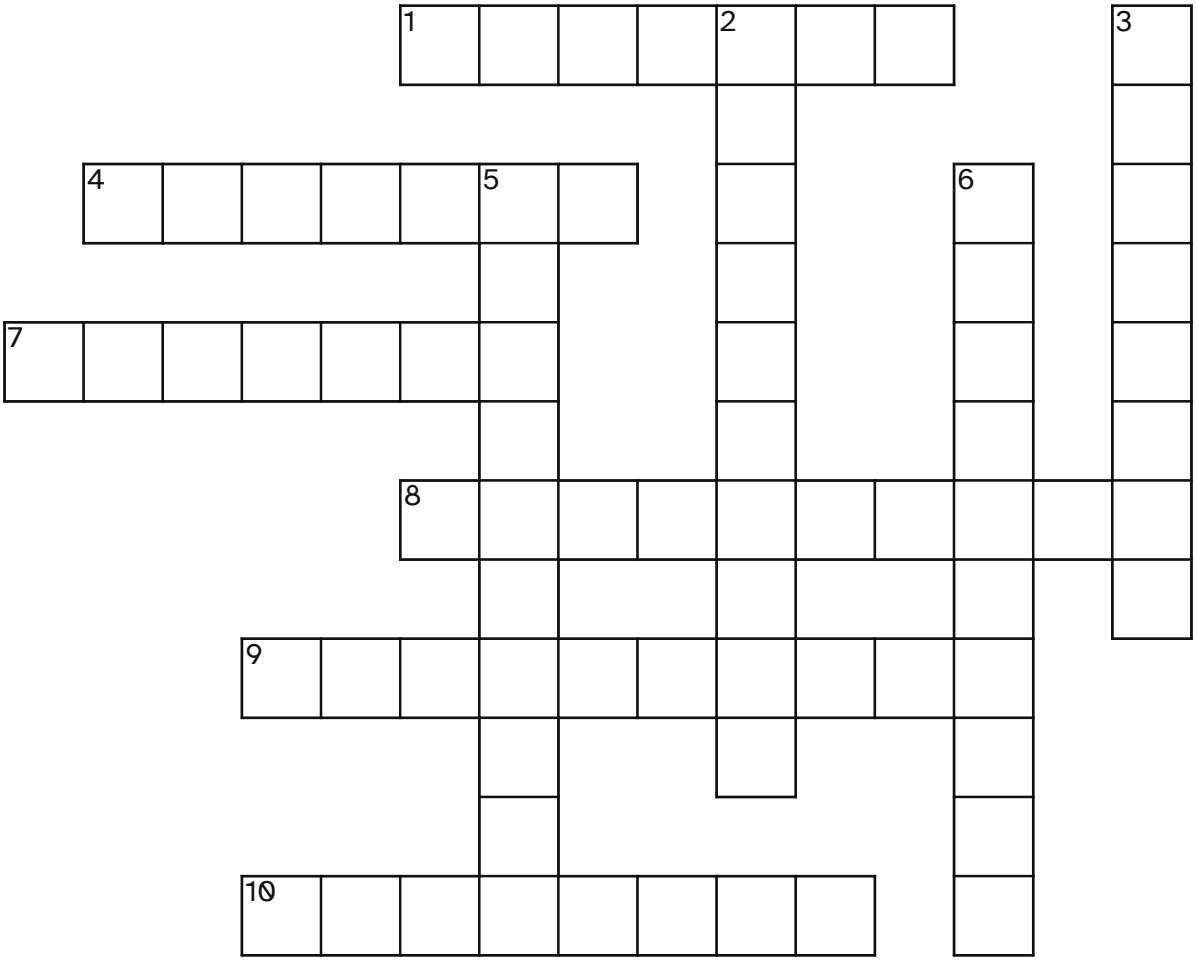

ACROSS

1 Natural home that supplies an organism's needs

4 Group of similar organisms able to reproduce with each other

7 Seek advice or expert input before deciding

8 Legal or practical measures that prevent harm or loss

9 At very high risk of vanishing from the wild

10 Free-living animals in natural settings, not pets or livestock

DOWN

2 At serious risk of vanishing soon

3 Latest date for completing an action or decision

5 Gone from one region but still found elsewhere

6 Recommended or expected, but not legally required

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Where this came from

This article was written for 3andB from the reporting below. It is not a reprint — the wording is ours and the facts are theirs.

Phys.org

"Endangered species in Canada face extensive delays receiving protection"

Published	Thursday, October 15, 2026
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https://phys.org/news/2026-10-endangered-species-canada-extensive-delays.html

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