



United States
Department of
Agriculture

Food and
Nutrition
Service

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Alexandria, VA
22302-1500

OCT 26 2012

Ms. Judy Toelle
Administrator
South Dakota Supplemental Nutrition Assistance Program
Department of Social Services
700 Governors Drive
Pierre, South Dakota 57501

RE: SNAP – South Dakota ABAWD Waiver Modification and Extension – FY 2013 – Approval

This is in response to the South Dakota Department of Social Services request to extend and modify waiver #990047 to exempt able-bodied adults without dependents (ABAWDs) residing in three economic areas and five reservations within the State from Supplemental Nutrition Assistance Program (SNAP) time limits at 7 CFR 273.24.

The State agency's request applies to the following areas: Sioux Falls Economic Area, Rapid City Economic Area, Aberdeen Economic Area, Crow Creek Reservation, Flandreau Reservation, Lower Brule Reservation, Pine Ridge Reservation and Rosebud Reservation. All areas listed above qualify for a waiver of the ABAWD time limits because they have a recent unemployment rate of over 10 percent.

Based on the data provided, FNS is approving the State agency's request for a one-year period, effective October 1, 2012 through September 30, 2013. Our detailed waiver response is attached. If you have any questions, please contact Phillip Fraley at Phillip.Fraley@fns.usda.gov.

Angela Gline
Chief
Certification Policy Branch
Program Development Division

Attachment

SND

WAIVER RESPONSE

1. **Waiver serial number:** 990047
2. **Type of request:** Extension and modification
3. **Primary regulation citation:** 7 CFR 273.24(f)
4. **State:** South Dakota
5. **Region:** Mountain Plains
6. **Regulatory requirements:** 7 CFR 273.24 provides that no individual shall be eligible to participate in the Supplemental Nutrition Assistance Program (SNAP) as a member of any household if, during the preceding 36-month period, the individual received food stamp benefits for not less than three months (consecutive or otherwise), during which the individual did not work 20 hours or more per week, averaged monthly; did not participate in and comply with the requirements of a work program for 20 hours or more per week; did not participate in and comply with requirements of a program under Section 20 of the Food and Nutrition Act or a comparable program established by the State; or was exempt from these requirements.

7 CFR 273.24(f)(1) also provides that, upon the request of a State agency, the Food and Nutrition Service (FNS) may waive the applicability of the above provision for any group of individuals in the State if the Secretary makes a determination that the area in which the individuals reside has an unemployment rate of over 10 percent, or does not have a sufficient number of jobs to provide employment for the individuals.

7. **Description of alternative procedures:** The South Dakota Department of Social Services is requesting a modification and extension of its waiver of SNAP participation time limits for ABAWDs residing in certain areas of the State.

The State agency requested a waiver for the following economic areas based on an 12-month average unemployment rate of over 10 percent from February to April 2012:

- Sioux Falls Economic Area – comprised of Buffalo County
- Rapid City Economic Area – comprised of Shannon, Todd and Jackson Counties
- Aberdeen Economic Area – comprised of Dewey, Ziebach and Corson Counties

The State agency requested a waiver for the following reservations based on a 12-month average unemployment rate of over 10 percent from July 2011 through June 2012:

- Crow Creek Reservation
- Flandreau Reservation
- Lower Brule Reservation
- Pine Ridge Reservation

The final reservation listed in the State agency's request, Rosebud Reservation, is included based on a three-month average unemployment rate of over 10 percent for May through July 2012.

8. **Action and reason for approval or denial:** FNS is approving the State agency's request as the data submitted by the State agency meets the requirements of approval pursuant to 7 CFR 273.24(f)(3) and relevant FNS guidance.
9. **Regulatory or legislative basis for action:** The waiver is approved pursuant to 7 CFR 273.24(f).
10. **Conditions and reasons:** None.
11. **Information required for extension:** To receive an extension, the State agency must provide data or other information as described in 273.24(f)(2) and (f)(3).
12. **Expiration date:** The waiver is effective beginning on October 1, 2012 and will expire on September 30, 2013.
13. **Limitation on regional office approval of like requests:** Approval of this waiver is limited to the South Dakota State agency.
14. **Quality control procedures:** N/A
15. **Date of State agency's request:** October 2, 2012
16. **Date of regional office transmittal of request to national office:** October 2, 2012
17. **Date of national office action:** OCT 26 2012
18. **Anticipated implementation date (notify FNS if actual date differs):** October 1, 2012

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19. **State agency contact:** Judy Toelle, Judy.Toelle@state.sd.us
20. **FNS regional contact:** Phillip Fraley, Phillip.Fraley@fns.usda.gov
21. **FNS national office contact:** Stephanie Davis, Stephanie.Davis@fns.usda.gov