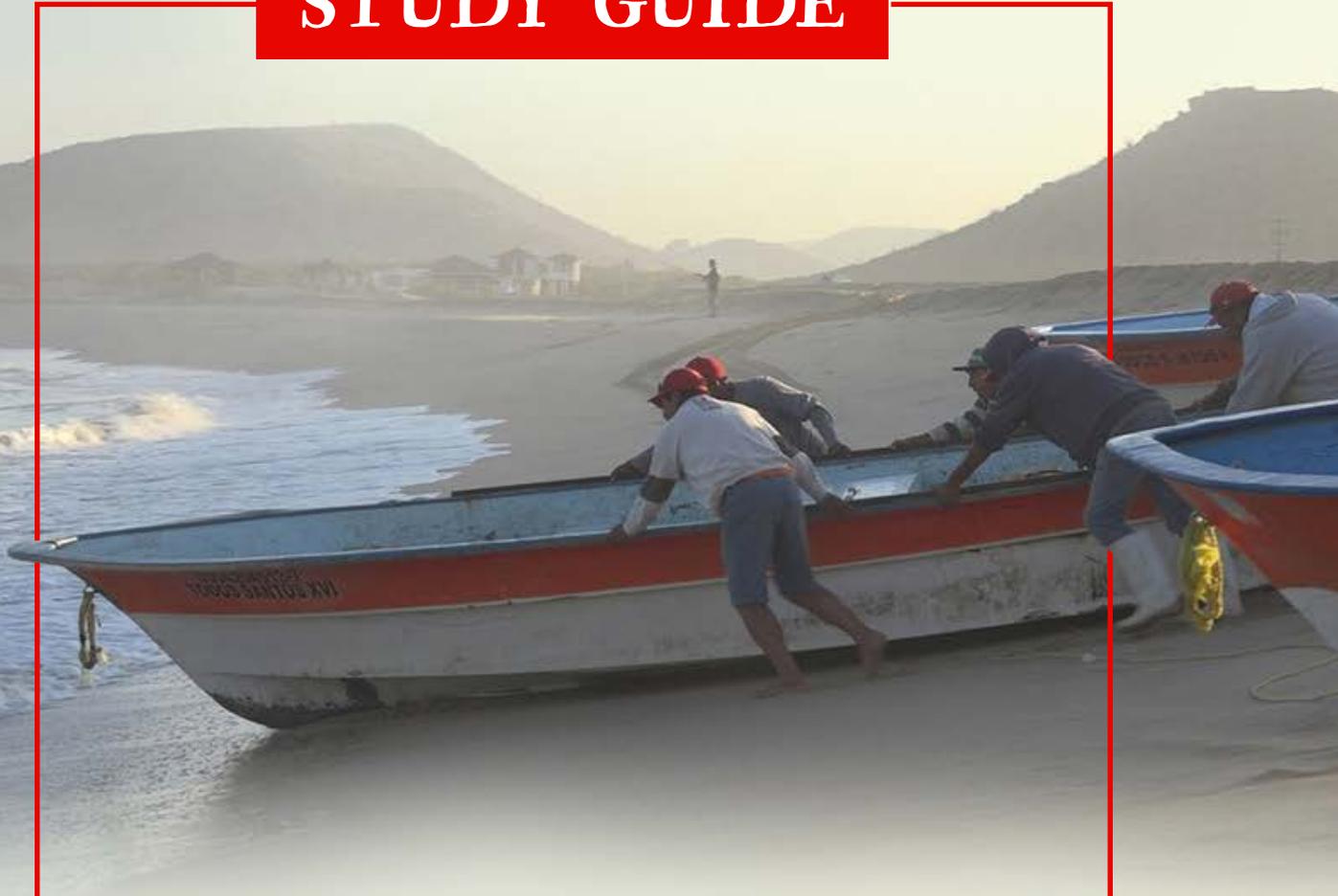




# PATRIMONIO

## STUDY GUIDE



**Welcome to the PATRIMONIO STUDY GUIDE.**

Patrimonio means heritage, patrimony, or birthright in English and this guide has been developed to augment the film; to provide a larger context for its story and offer a deeper understanding of the region, its history, and its heritage.



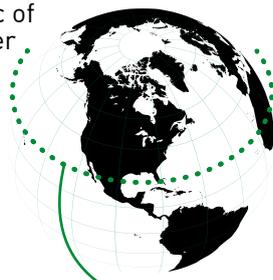
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# I. Overview

Tropic of Cancer



Todos Santos sits on the Tropic of Cancer on the Pacific side of the Baja California Peninsula's southern cape, in the state of Baja California Sur (BCS)

between the cities of **Cabo San Lucas** to the south and **La Paz**, the state capital, to the north; about an hour away from each, but worlds away from both.

Baja California Sur



# II. Environment

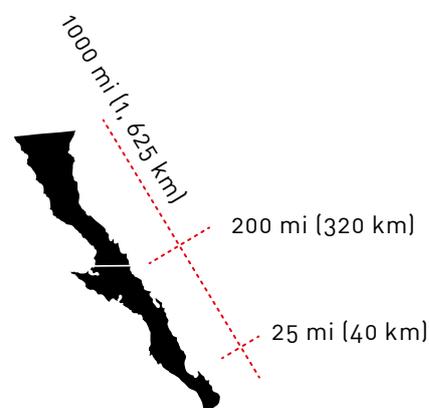
## Geography

The Baja California Peninsula is known for its pristine, rugged natural environment.

The peninsula begins south of San Diego, CA, USA and is part of Mexico, separated from the mainland by the Gulf of California (also called the **Sea of Cortez**.)



The peninsula has about 1,900 mi (3000 km) of coastline and approximately 65 islands.



The peninsula runs about 1,000 mi (1,625 km) from the northwest border city of Tijuana to the tourist destination of Cabo San Lucas on the southern cape tip, and ranges in width from 25 mi (40 km) at its narrowest to 200 mi (320 km) at its widest.

## Geology

The Baja California Peninsula is one of the youngest peninsulas in the world.



Although there are some volcanoes on the peninsula and the adjacent islands, the peninsula is the result of plate tectonics; when tracts of the earth's outer crust slowly move over millions of years. Once part of the North American Plate 12 to 15 million years ago, the East Pacific Rise began cutting into the North American Plate, initiating the separation of the peninsula which finally split from the Mexican mainland about 5 million years ago, with the Gulf of California between the two land masses.

**The Peninsula finally split from the Mexican mainland about 5 million years ago, with the Gulf of California between the two land masses.**

The Baja California Peninsula is now part of the Pacific Plate and is moving with it away from the East Pacific Rise in a north westward direction. And that infamous San Andreas fault zone – the transformative boundary between the North American and the Pacific tectonic plates acting like a giant fissure in the earth's crust – begins north of San Francisco, CA, USA and runs south all the way into the Gulf of California. There, short askew ridge segments connected by northwest trending transformative faults together comprise the Gulf of California Rift Zone.

## Climate

The Baja California Peninsula can be counted on for sunny skies and warm temperatures, and Todos Santos on the Tropic of Cancer is no different. Most days are clear and bright, but it's in a small Pacific climate pocket all its own and often 10° cooler than in the surrounding cities. Most days of the year, daytime temperatures fall between 70° - 80°F (21°- 26°C).

Apart from the hurricane season, and beyond the occasional random rain that can occur from late January to early March, it is highly unlikely to see a raindrop in these parts for many months at a time.

During the winter and spring months temperatures can easily drop 10° at night. In summer and early fall the temperature and humidity spike up considerably. Hurricane season is officially June through November and these are considered the wet months, but unless there's a hurricane, more often it means plenty of humidity and a few days of sporadic rainfall.

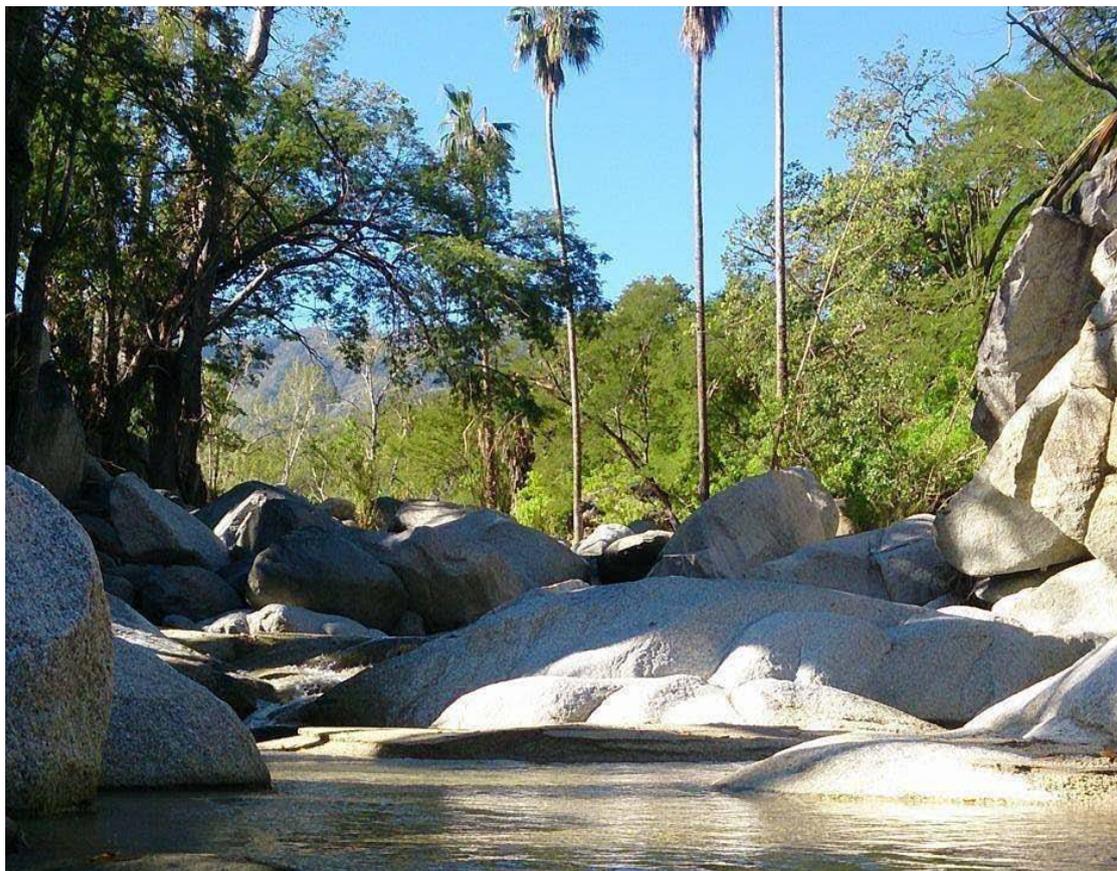
**Todos Santos' precarious water supply was a central issue in the town's fight against Tres Santos.**

**The developer's plan to build over 4,000 homes would have quadrupled the population and severely taxed an already over-exploited aquifer.**

## Ecology

Rare is a landscape where mountains acquiesce to a desert that borders, then touches the sea.

The Sierra de la Laguna mountain range towering in the distance runs between the Gulf of California (Sea of Cortez) and the Pacific coast – a mountainous vertebra that splits this southern cape region in two. The Sierra de la Laguna’s highest elevation nears 7,000 ft (2,100 m). It boasts a unique biodiversity, with dozens of endemic plant and animal species.



Southern Baja California Sur also has flora and fauna that is found in few other parts of the world including the Cardon cactus and Palo de Arco trees, rattle-less rattlesnakes, black jackrabbits, and fish-eating bats.

In the high parts of the Sierra de la Laguna, the average rainfall is

about 40 inches per year, while in the sea level surrounding regions like La Paz, Todos Santos and Los Cabos the average rainfall is an average of five inches a year. This makes the Sierra de la Laguna the main source of water for the southern part of the state, of the utmost importance to be protected.

The town of Todos Santos is nestled at the foot of the Sierra de la Laguna mountain range, perched atop aquifers, with groves of fruit trees and acres of green crops in an otherwise arid landscape.



In 1994 the Mexican government enacted **The Sierra de la Laguna Biosphere Reserve** to protect this singular natural heritage and precious regional water source.

# ESSAY

## IMPACT OF FIXED STRUCTURES IN AN ACTIVE BEACH-DUNE SYSTEM: THE TRES SANTOS CASE

By Dr. Enrique Hiparco Nava Sánchez

I have known the beaches of Todos Santos, and the beaches of the southern part of BCS in general, for more than 35 years. Although I have worked on various aspects of coastal geology, my experience has focused mainly on the study of beaches. In the case of Punta Lobos, for many years the beach was almost pristine; there was only the fishermen's berth and the lighthouse, which was built in the upper part of the dune. I have witnessed the changes on the beach since Tres Santos' construction of the Hotel San Cristóbal began in 2015. This construction has not only affected the beach and the dune; it has also encroached on space needed for the fishermen's activities and for public access to the beach. This construction has also resulted in a dramatic reduction of the neighboring wetland and a modification of the flow of surface streams.

**Beachfront developments are the main threat to the stability of beaches, especially when they don't consider natural dynamics.**

The sand sediments of the beaches come and go throughout the year; it is eroded by high-energy waves that occur during the autumn and winter, or with the passing of storms such as tropical cyclones. The beach "grows back" when conditions are calm (low-energy waves), more typical of spring and summer. On most beaches, the sand remains captive in the beach's area of influence; the sand taken by the high-energy swells is deposited behind the break zone, where it remains until long, low-energy waves carry it gradually back to shore. In natural conditions, the amount of "new" sand that reaches any beach is approximately equal to the amount of sand that leaves that beach for good. Longer-arc processes, such as climate change and the rise in sea levels, are affecting this annual dynamic that serves to stabilize beaches. The Intergovernmental Panel on Climate Change (IPCC) has predicted that climate change will increase the intensity and the frequency of storms, which means an increase in the energy of storm surges, resulting in more severe beach erosion. Eventually the amount of sand that leaves a beach for good could be greater than the amount of "new" sand.



This construction has also resulted in a dramatic reduction of the neighboring wetland and a modification of the flow of surface streams."



**Humans, of course, also play a significant role in beach erosion, mainly by building fixed structures on coastal dune areas, thus altering the natural cycles of sand sedimentation.**

Punta Lobos beach gets its sand from two main sources: the Salvial stream which flows directly into the wetland on the south end of the beach; and the La Calera, Cañada Honda and La Muela streams which flow to the Pacific just north of Punta Lobos. These sediments are deposited on Punta Lobos by swells from the north. There is little to no sand flow from the south, mainly due to the rocky cliffs and weak waves from the south. This combination of strong waves from the north, stream flow from the Sierra and a rocky barrier to the south make Punta Lobos an important gathering point for sand. If there is an excess of sediment, it migrates southward rather than accumulating and increasing the width of the beach. With southern storm surges, the sediment of the beach erodes and moves northward and into deeper areas.



Photographs of Punta Lobos beach:

**Picture A:** October 2013, we can see the dune on which the Tres Santos Hotel San Cristóbal was built;

**Picture B:** November 2015, the Hotel San Cristóbal is under construction, the concrete wall was built on the edge of the active beach dune, indicated by the blue arrow in both images.

With regards to fixed structures, whether built with reinforced concrete or cinder block, the most harmful are breakwaters. These structures retain sediments on the wave side and erode sediments on the coastal side. Additionally, seawalls built parallel to the coastline and on the active beach area ahead of the dune, as is the case of the Tres Santos Hotel San Cristóbal (see images), also significantly affect the stability of beaches. During times of high swells, the hard barrier causes a greater rate of erosion, resulting in a net loss of sand volume. Climate change could add to the beach instability caused by the Hotel San Cristóbal seawall, as the rise in sea levels causes coastlines to recede, as has been predicted for beaches worldwide.

The increasingly intense erosion that this beach is experiencing due to the Tres Santos Hotel San Cristóbal will negatively impact the local fishermen's activities who are seeing their space reduced as the beach recedes. Additionally, the large rocks illegally deposited in front of the hotel's seawall wash away with the swells and scatter across the fishermen's launch area. Another problem with the receding beach is that the wetland, along with its mangrove vegetation, runs the risk of being filled with beach sand. This is already happening.



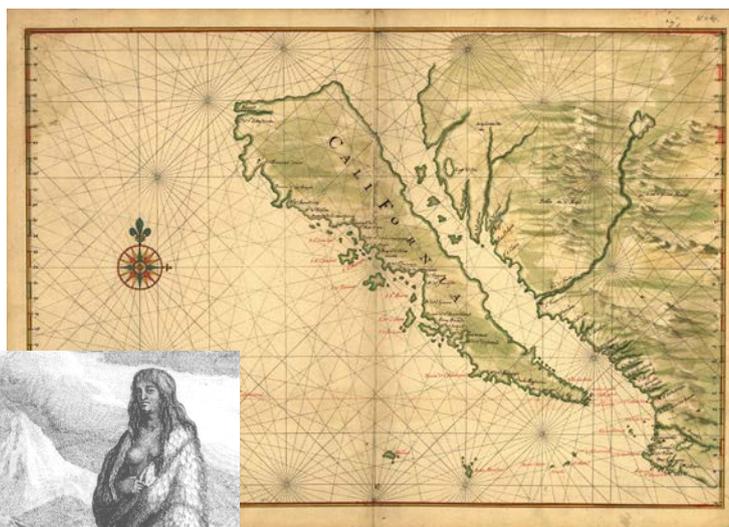
### **Dr. Enrique Hiparco Nava Sánchez**

is a Geological Engineer from the National Polytechnic Institute, he has a Master of Science from the National Polytechnic Institute and PhD in Geology from the University of Southern California, USA; he works in scientific research of geological-coastal processes, specializing in beach erosion; he lives in La Paz, BCS.

# III. History

## Region

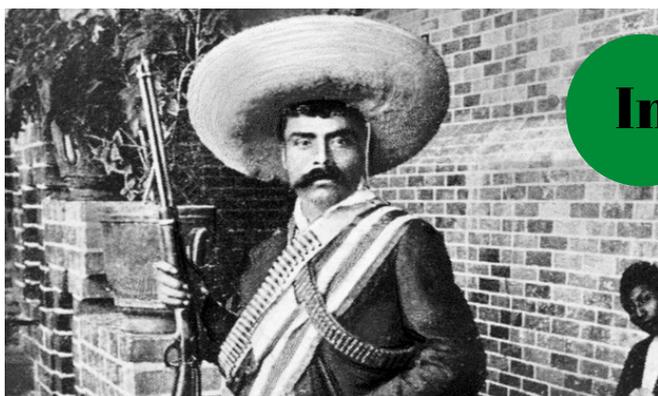
Before the Europeans arrived in the 1500 and 1600s, those who resided and roamed the southern cape region were hunters and gatherers: the indigenous **Guaycura, Pericú, and Huchití tribes**. From the 1690s to 1800s, Spanish settlements and colonization occurred on the Baja California Peninsula, and it was during this time that the first Spanish missions in Baja California were established by the Jesuit missionaries.



Map of California as an island, circa 1650.



California women, probably Pericúes, 1726.



Emiliano Zapata was one of the most important military leaders of the Mexican Revolution and a symbol of peasant resistance.

## In 1821

After Mexico's independence from Spain in 1821, the Baja California Territory was established. The War of 1847 briefly interrupted the tranquility of life on this stretch of the Pacific coast. More devastating was the 1910 Mexican Revolution of which the neighboring towns of Todos Santos and El Pescadero were battlegrounds.

...Todos Santos and El Pescadero were battlegrounds.

**In 1974**  
 the Southern Territory  
 of Baja California  
 became the **31st state**  
**of the republic,**  
 Baja California Sur.



In 1930-31, the Territory of Baja California was divided into the Northern Territory of Baja California and the Southern Territory of Baja California and in 1952 the Northern Territory became the 29th state of Mexico, Baja California. It wasn't until October 8, 1974 that The Southern Territory of Baja California became the 31st state of the republic, Baja California Sur.

The Baja California Peninsula, especially southern Baja California Sur, was, for the most part, an island unto itself into the first half of the 20th century. Isolated and inaccessible from the U.S. border, with no full peninsular thoroughfare or easy mass transit access, this southern cape remained a last frontier region until just decades ago.

...remained a last  
 frontier region  
 until just  
 decades ago.



The La Paz airport had scant international commercial flights and the only other public means of transport was the ferry from the mainland. It wasn't until the Trans-Peninsular Highway (Mexico Federal Highway) was finished in 1973 – the first paved road that spans the entire peninsula – and the Los Cabos International Airport opened in 1986 that travelers and tourists actually had easy commercial access to this pristine cape region.



# Todos Santos



2014 ● 2018

Originally home to the Pericú people, Todos Santos was initially founded by Jesuit Father Jaime Bravo in 1723 as a *visita* (outstation) to help support the Misión de Nuestra Señora de Pilar in La Paz.

The climate, fertile soil, and plentiful water supply of this region were well suited for crops to help sustain the mission. A decade later this *visita* became a mission in its own right, Misión de Santa Rosa de Las Palmas, with Father Seguismundo Taravel as its resident missionary. It wasn't until years later when the mission in La Paz closed that Todos Santos adopted the name and took the title Misión de Nuestra Señora de Pilar de La Paz, which eventually changed to Misión de Nuestra Señora de Pilar de Todos Santos.



Todos Santos had its initial claim to fame and first development boom between 1860-1910 as a result of the plentiful aquifers that allowed for large-scale sugar cane manufacturing, and the nearby silver and gold mines that brought riches to many locals and European fortune hunters. During this time many local families acquired wealth and stature and built homes that were a mix of French and Spanish architectural flavors, with a Baja twist. It is the colonial homes and architecture from this era that banner Todos Santos' historic district today.

The first development boom between 1860-1910 was as a result of the plentiful aquifers.



In the 1920s the mines closed and the underground aquifers began to dry up.

These glory days did not last very long though. In the 1920s the mines closed and the underground aquifers began to dry up; the water-mongering sugar cane crops and cane milling industry were unable to sustain. Many of the affluent farmers, landowners and merchants moved to the closest cities of La Paz and San Jose del Cabo, their descendants not returning to live in Todos Santos until many decades later when the aquifers regenerated. Large-scale cane milling was never attempted again.

# ESSAY

## THE EJIDO: A UNIQUELY MEXICAN INSTITUTION

By Ariadna Sepúlveda González



The ejido is a civil organization in Mexico which has its roots in the Mexican Revolution of 1910, which was an insurrection of agrarian laborers fighting for land rights against landowners and other powerful groups who controlled vast swaths of territory. The ejido was one of many results of this Revolution, which intended to right many wrongs, and was coded into law with the Constitution of 1917. The institution of the ejido is unique to Mexico.

**The Todos Santos Ejido was founded on January 10, 1919 and was granted 170 hectares (265 acres).**

**Subsequently it has expanded to almost 6,500 hectares (over 16,000 acres).**

The Todos Santos ejido is made up of 254 members, each with rights to common-use lands. The group was initially made up of Todos Santos natives, but as the founding members passed away their ejido rights were inherited by their descendants for two or more generations. Approximately 10% of the membership has sold their ejido rights to out-of-towners.

Each ejido member receives an annual support in the amount of 20 thousand pesos (approximately a thousand dollars); additionally, many grow crops, raise cattle, fish commercially or have some other sort of additional income, but this can vary greatly.

### Ejido lands are divided into four categories:

Parcel lands, which are dedicated to agriculture	Common-use lands, which are shared by all members and owned in equal percentages	Grazing lands for cattle	Settlement lands for human dwelling
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To date, a large percentage of land has been allocated to members and there still remain approximately 5,000 hectares of common-use land as well as 4,000 hectares of parcel and settlement land combined.

All ejido members have a vote in the internal deliberations and assemblies of the group. Ejidos are unaffiliated with any political party and their internal processes are democratic in nature; each member is free to choose the political party of their choice, and the ejido as a group is enabled as an entity to request support from the government at the local, state and federal level, regardless of the party in power.

Being the president of the Todos Santos Ejido has been a challenge for me, mainly because I am a woman and almost 70% of the membership is male. We live in a traditional community, where culturally we are taught that women should only concern themselves with tending to the home and family. I have had to prove to the group that women are just as capable of getting the job done and representing the organization. Fortunately we've been able to make headway in changing the culture.



### Ariadna Sepúlveda González

was born in Ciudad Constitución, BCS in 1972. Her father was from Sinaloa, her mother from Todos Santos, a town which she loves dearly. She is only the second woman to be president of the Todos Santos Ejido, and was elected for the period 2017-20.

# IV. General Statistics

Todos Santos

Country:	México
State:	Baja California Sur (BCS)
Municipality:	La Paz
Coordinates:	23°26'55" N 110°13'24" W - The Tropic of Cancer
Elevation:	130 ft (40 m)
Average Temperature:	72.68°F (22.6°C)
Average Rainfall:	5.94 in (151 mm)
Water Dam Capacity:	13 million cubic meters
Population:	2019 (approximate) — 9,300 8,500 local nationals 800 foreign families
	2015 Census Total — 6,485
Literacy:	90%
Industries:	Agriculture, Livestock, Fishing, Tourism
Exports:	tomatoes, basil, chili peppers, mangos, fish
Median Income:	varies widely \$116 MXN/day – minimum wage \$600 MXN/day – average for a fisherman \$100 MXN/hour – average for a gardener
Exchange Rate:	\$19.62 MXN/\$1.00 USD (June 2019)
Price of Gas:	\$21.59 MXN/ltr – unleaded Premium - 92 octanes (June 2019) \$20.39 MXN/ltr – unleaded Magna - 87 octanes (June 2019) \$21.65 MXN/ltr – Diesel (June 2019)
Price of Tortillas:	\$21.00 MXN/kilo (June 2019)



# ESSAY

## A PERSPECTIVE ON THE JUSTICE PROCESS IN BCS

By Arturo Rubio Ruiz

The main problem we face regarding criminal justice in Mexico in general, and in Baja California Sur in particular, is that the system is in the hands of a justice department controlled politically and economically by the Governor.

**This makes it easier for the group in power to use law enforcement as a tool for exerting control, pressure and/or exacting political revenge.**

State politics are based on the Executive's control over the Legislative and Judicial branches. Since 1974, when it became a state, Baja California Sur has been under single-party rule. The party in power has changed, but the winning party always has dominated the three branches of government. Under this system, when a grassroots social leader emerges they are immediately co-opted by one of the state's political parties to further their agenda in benefit of small, special interest groups. Leaders of social movements are neutralized by being assimilated into the system with an easy and generous paycheck.

**However, when a grassroots social leader emerges who cannot be co-opted into the system due to their genuine principles, he or she then becomes a threat to the system, and the corrupted group in power — as was the case here on the local and state levels — then turns to the use of the equally corrupt state justice system.**

The first step is usually to dig around for some type of skeleton in the political actor's closet, which is often used to extort people into silence. However, when none such skeletons exist, the second step is to fabricate them in order to falsely accuse and imprison uncomfortable critics of the system.



The case of John Moreno is an example of the above, the way in which the group in power reacts when their interests are jeopardized. Fortunately for the people of our state, federal judges are outside of the state government's sphere of political control, which allowed Moreno to be freed under a federal protection order.

The charges against him are still pending, but he is out of prison. Countersuits have been filed against the public officials in the Attorney General's Office who participated in the fabrication of evidence against him. We are confident the charges against John will be dropped.

In our state, the Attorney General's Office does not have the budget required to fulfill its duties. The federal funding it receives is mainly siphoned away in bloated acquisitions contracts that perpetuate the rampant corruption and cronyism. Salaries are very low; there are no work benefits or adequate incentives; staff training is minimal and sporadic. This is a serious problem with no visible solution anytime soon.

In 2018, the Morena party took over the federal government, and the nationwide "AMLO effect" (Andrés Manuel López Obrador – AMLO – was elected president of Mexico in 2018) disrupted the Governor's control over the local Congress, for the first time there is an opposition majority. Furthermore, the federal government has installed new oversight mechanisms at the state levels to ensure resources are properly allocated. This new dynamic should provide less room for complicity and opacity in the management of public resources, as well as an expectation of balance in power. Although this counterweight scenario is positive for our state, it was the result of the so-called "AMLO effect" and it's likely that when the effect wears off local politics and power will regain a single-party status.



Andrés Manuel López Obrador taking the oath of office. December 1, 2018.

Grassroots organizations will have to expand citizen participation and ensure oversight of public servants in order to generate greater transparency in the exercise of power.



### **Arturo Rubio Ruiz**

born in Mexico City, has lived in La Paz, Baja California Sur, since 1994. He is a criminal attorney graduated from the UNAM Law School in 1978; holds a master's degree in Criminology from the IFP PGJDF; a master's degree in criminal procedural law from the CEP and many other degrees, including the most recent doctorate in criminal law from the CEP in 2017. Arturo is a litigator for the firm "Rubio & Associates, Integral Legal Consultants", legal representative of the Citizen Council for the Care of Victims of Crime in BCS, legal representative of LETRAS, Legality and Transparency in Sudcalifornia, and President of the Graduate School of Law and Related Sciences of Baja California Sur.

# V. Fishing industry



15% of the community relies on fishing industry income.

Fishing is one of the oldest, most established industries in Todos Santos. For over a century, the sustenance from the sea has been a cornerstone of commerce and integral facet of the community. Based on the 2015 census 10.2% of the native inhabitants either work or are provided for by the fishing industry, and a truer percentage is more likely 15-20% of the community.

The designated fisherman's beach is called **Playa Punta Lobos**, named after a near-by sea lion colony on the point. This point creates a small bay that provides a relatively calm area from which to launch the boats. The panga boats are now made of fiberglass and motorized but until the late 1970s, the heavy boats were powered by wooden oars and sails. Launching at about 7 o'clock each morning, by mid-afternoon the fishermen are rolling back into shore, and preparing their goods for transportation to La Paz, where there is a ferry launch for national and international export.



Playa Punta Lobos 2014



Playa Punta Lobos 2018



Rosario Salvatierra. Fisherman

The fishing trade in Todos Santos originated with two families: the Orozco family and the Salvatierra family. Although the industry began in the early 19th century it wasn't until the 1970s that the families respectively became the official cooperatives they are today. A cooperative in Mexico is much like that in the U.S. and other countries.



### La Sociedad Cooperativa de Producción Pesquera Todos Santos

(The Todos Santos Fishing Cooperative):

This was the first cooperative established, which was and still is composed of fisherman only from the Orozco family. They have the yellow-striped boats and comprise of about 30 cooperative members, who each have their respective nuclear family members that directly or indirectly depend on the daily fishing income.

### La Cooperativa Pesquera Ejidal Punta Lobos

(The Punta Lobos Fishing Cooperative):

This was the second cooperative formed back in the 1970s, originally consisting of the Salvatierra family, though the cooperative now also includes fisherman outside of this particular clan. They have the red-striped boats on the beach and upwards of 75 associate members each with their family members who depend on the fisherman's fishing income.

#### **Punta Lobos Beach Catches:**

Yellowtail, Snapper, Mahi Mahi, Spanish Mackerel, Tilefish, Grouper, Shark, Corvina, Jack.

In Mexico beaches are the property of the nation, a part of the Federal Maritime Land Zone. All beaches must have public access for the enjoyment of the people except in areas where there are concessions granted by the federal government for commercial or environmental use. To have a business or environmental enterprise on a beach, legally, the enterprise must apply for a 5, 10, or 15-year concession permit (with the federal government), which if all the requirements are met, the government then grants the concession for the beach use.

Both of these fishing cooperatives have been granted concessions for access and use of designated zones on the beach for fishing and related activities. The Todos Santos Fishing Cooperative received its concession in 2013, while The Punta Lobos Fishing Cooperative has maintained its concession since 1980.

# ESSAY

## COLORADO STATE UNIVERSITY'S TODOS SANTOS CAMPUS

By Sarah Teale

When Tres Santos, the mega-development, broke ground in Todos Santos, Baja California Sur, a campus for Colorado State University was part of their project.

Colorado State University (CSU) is a public, research university, funded by taxpayers, located in Fort Collins, Colorado. The university had a reputation for environmental integrity and so Colorado-based Black Creek and its Mexican subsidiary MIRA – the developers of Tres Santos – hoped that involving CSU in their greenwashing strategy would make their development appear more eco-friendly.

The developers were marketing Tres Santos throughout the United States and Mexico to American and Canadian retirees and young, upscale tekkies seeking a hip alternative lifestyle. They planned to build a 'town farm' and a farm-to-table garden and restaurant and CSU was a key part of their marketing plan.

Tres Santos "gifted" the land for the campus to CSU (via its supporting organization Colorado State University Research Foundation – CSURF) and valued that gift at \$4.3 million dollars. But the land that they gave was located in the hottest part of Todos Santos, right next to the town cemetery. The arid land would have been valued at significantly less than the stated worth.

**Tres Santos  
"gifted" the land  
for the campus  
to CSU and  
valued that gift  
at \$4.3 million  
dollars.**



Thousands of documents obtained through the Colorado Open Records Act (CORA) also revealed that the "gift" was set up through an irrevocable trust based in Monterrey, Mexico and that Tres Santos holds a percentage of that Trust but ownership percentages are blacked out in the documents obtained under CORA.



A true gift is the voluntary transfer of property or funds to another *without* conditions attached. Some of the “gift” conditions imposed on CSU by Tres Santos included:



- CSU was required to allow Tres Santos to use the CSU name and trademarks in its marketing.
- CSU was required to identify its research papers with corporate branding determined with Tres Santos.
- CSU was obligated to conduct business classes targeted at enterprises within the Tres Santos project.
- CSU had to keep its campus “in bloom” during tourist season.
- A prohibition on publishing anything that might be critical of Tres Santos.

**If CSU academics openly questioned anything about the development, the University could forfeit more than \$1,000,000 of Colorado taxpayers' funds that were spent on the construction and opening of CSU's Tres Santos Campus.**

There is a clause in the Trust that spells out Events of Breach and defines it to include “any... [CSU] action that materially prejudices the brand or reputation of Tres Santos.” If that happens, the entire “gift of land and buildings” would revert to Tres Santos and CSU would be removed from the MIRA property. Colorado taxpayers would lose their entire “investment” in Mexico.

From the CORA documents it is also clear that CSU chose to ignore the findings of a water study that they themselves commissioned and hired a private Professional Engineer, Keith Meyer.

Meyer asked the Tres Santos project engineer a lot of hard questions and concluded that the engineer could not answer them “I do not think he (the Tres Santos engineer) understands distribution system hydraulics... I am worried that when Town Farm [which includes the CSU Campus] draws water through pumping, it exhausts the supply for other parts of town... A new pumping station inside the distribution system could be detrimental to the existing pipeline infrastructure. I have been told that the existing pipes are in very poor condition and leak a ton.” He concludes: “I have not met anyone who is approaching the challenges in a smart, effective manner. As with most developers, they are installing what they need to make their project viable...which may be at the detriment to what exists.”

Despite these concerns, and a promise from MIRA to the community that they would not use municipal water, MIRA built a water tower above the CSU campus that is larger than the water tower for the whole town and draws on the limited municipal water supplies.

Many people in Todos Santos had also hoped that CSU would offer academic opportunities for them and their children but in fact CSU only offers accredited courses to CSU students - at a price. In 2016, a two-month course cost the student \$20,000. For two weeks it was \$5,330.

In April 2019, after the larger Tres Santos project collapsed, MIRA gave CSURF the land and the buildings and CSU has distanced itself as much as possible from Tres Santos. But they are still using municipal water and still offer no accredited courses to the local community. Why did a not-for-profit state university make a deal with a for-profit developer and at what cost to Todos Santos and to the reputation of CSU?



**Sarah Teale, Co-Producer / Co-Director of PATRIMONIO,**

was also a Producer on the HBO series *The Weight of the Nation*. Other HBO films include *Dealing Dogs*, (Emmy nomination); *Hacking Democracy*, (Emmy nomination); *Bellevue: Inside Out*, a year inside the locked psychiatric wards at Bellevue Hospital; and *Mumia Abu Jamal: A Case For Reasonable Doubt?*

# VI. Profiles of Main Characters

## John Moreno

was born in La Paz, Baja California Sur, where his grandfather was a pearl diver. He was raised in Todos Santos and educated in the U.S. and Mexico. John is an avid surfer and has been recognized nationally for his defense of human rights. He and his wife Adhi Guevara live in Todos Santos with their three kids.



## Rosario "El Chayo" Salvatierra,

born in 1958, is descended from one of the original Todos Santos families. He is a fisherman, like his father and grandfather, but has also worked as a bricklayer and had a brief career as a professional baseball player.



## María Salvatierra Agundez

was born in Todos Santos in 1987. She has been active in the fight against open-pit gold mining in the Sierra de la Laguna, and loves to dance. Maria and her husband Jonathan have two children.



## Francisco Quirino Cota

is one of eight children all of whom were born on the land where he still lives and works. The Cota ranches are among the oldest in southern Baja, and Quirino is a longtime advocate for the community. A leader in Baja Sur's anti-mining fight, Quirino was twice elected deputy mayor of Todos Santos and is president of the Cattlemen's Association. He has three children and six grandchildren.



## Black Creek Group

A real estate investment firm specializing in investments in the United States and Mexico. It was founded in 1993 and is based in Denver, Colorado.



## MIRA Companies

Founded by Black Creek Group in 2007, MIRA is a real estate investment and development subsidiary company focused on residential properties in Mexico.



## Tres Santos

A planned mega-development in Todos Santos, slated for 4,400 homes and hotel rooms. It was to be constructed and implemented by MIRA Companies, a subsidiary of Black Creek Group.



## Colorado State University

A public university in Fort Collins, Colorado, established a satellite campus in Todos Santos in 2016 which was used by Black Creek Group to further the Tres Santos greenwashing campaign.



# ESSAY

## TRES SANTOS: MY EXPERIENCE WITH CORRUPTION AND GREENWASHING

By John Moreno

In 2014, the residents of Todos Santos, Baja California Sur woke up to the news of a new neighbor in town: a mega-development right on our town's fishing and swimming beach which has an important and pristine estuary and mangrove-covered dunes.



The Tres Santos master plan for development.

This new neighbor's plan was to build almost 5 thousand homes, with shopping centers, hotels and a wide array of "amenities" that, if built, would not only be an economic boom for the developers but would also more than double the size of the current population, with a projection to TRIPLE it within 10 years. The social and environmental impact this would have on our community and its resources would be highly disruptive and unsustainable in the long term.

Despite all this, the developer's message was that the community had nothing to fear; Tres Santos will be environmentally friendly. There will be bike trails, yoga classes and shops and restaurants that offer organic products and we all know that if we do yoga and eat organically we're attuned to the universe and it's impossible that we could ever poison the environment or negatively impact a community!

**"...directly threatened my family and myself..."**



Billboard advertising on the highway from Cabo San Lucas to Todos Santos.

This was the arrogant and deceptive tone adopted by MIRA and its CEO, Javier Barrios, at their introduction meeting with our community, which, in their estimation, they were "here to save" from economic doom. The "greenwashing" in their marketing and PR campaigns was supposed to make us ignore the project's many environmental irregularities and violations.

The ensuing months and years were marked with confrontation, belligerence, intimidation and harassment by the developers, who instigated their construction workers and truckers to disrupt the peaceful demonstration of the local fishermen; ordered state authorities to use public force against legal protestors; directly threatened my family and myself as well as other critics and created a general atmosphere of division and animosity in our community.



## Justice is deliberately slow and selective...

Nevertheless, the fishermen of the Punta Lobos Cooperative chose to fight for their rights and have been rewarded for their sacrifice, something that is worthy of admiration and respect. Our justice system is designed to put citizens at a disadvantage with regard to and at the mercy of arbitrary, abusive and corrupt authorities. Justice is deliberately slow and selective, as well as an expensive and exhausting process that takes a heavy toll. It is not surprising then that most people often do not try to defend themselves, much less hold the corrupt authorities accountable for their actions; those who do are generally persecuted, and often killed. The most critical factor in all this is the permeating corruption throughout government.

**Mexico ranks 138th (180 being the worst) in the global Corruption Perceptions Index, scoring 28 on a scale of 100, and placing it worse than even Myanmar, Liberia, Pakistan, Ethiopia, Nigeria, Sierra Leone and many other patently corrupt countries.**

You may think our story ends here; however, after we filed multiple lawsuits against the developers, and after their own lawsuit against a group of local activists was thrown out of court, the company's animosity and anger took a sharp turn. We learned from reliable sources that company executives had met privately with the state's Attorney General with the specific purpose of analyzing how to get rid of me, the fishermen's legal representative. On May 19, 2017, on alleged charges of dispossession relating to a case from years before, both my client and I were arrested. When I was before the judge, my attorney and I realized evidence against me had been fabricated; despite acknowledging the false nature of the evidence, the judge incarcerated both my client and me in the La Paz prison without the right to post bail. This caused much indignation, commotion, and controversy in my family and within our community as well. After many legal efforts and court appearances, we were granted federal protection and set free 100 days later. This, however, is provisional; the false charges against me are still pending.

**One year after my release, the fight continues and the lawsuits against the company are still awaiting resolution.**



### John Moreno

was born in La Paz, Baja California Sur. His early formative years he spent with his family living in upstate New York, and traveling in the United States. He has lived in Todos Santos for most of his life where he has deep seated roots that go back six generations. Initially enrolled in the UABCS in Marine Biology, he went on to study Law in Guadalajara and La Paz, with a focus on environmental and constitutional Law. In 2007 he established *luris Consultores*, a law firm that is based out of La Paz and provides legal services from Los Cabos to Loreto, BCS.



# VII. Patrimonio Time Line

## 2014

**August**  
Tres Santos holds Town Meeting to make its case for the mega-development and promises not to use town water

## 2015

**January**  
Tres Santos' Hotel San Cristóbal construction begins on Punta Lobos beach  
Colorado State University campus breaks ground

**March**  
Fishermen voice concerns, begin organizing

**May**  
John Moreno joins the fight, offering fishermen his legal services pro bono

**July**  
Rosario Salvatierra signs first complaint about fishermen's concession

**August**  
Rain runoff from Hotel San Cristóbal construction site threatens boats, erodes beach

**October**  
Record high tides, fishermen protest beach conditions, demand to see permits for Hotel San Cristóbal's breakwater  
1st Blockade begins

**November**  
Developer is no-show at public meeting

## 2016

**January**  
Co-op's board of directors is paid off and flips, anti-traitors march, Tres Santos files felony lawsuit against John and others

**February**  
State SWAT team breaks blockade, Co-op appeals to the governor

**March**  
Massive citizen's protest march in Todos Santos

**May**  
Fishermen begin second blockade

**June**  
2nd blockade dismantled, developers break promises, arrests threatened

**August**  
Hurricane Newton hits, Hotel San Cristóbal runoff destroys beach

**November**  
Co-op board goes to Mexico City for fruitless meeting with Tres Santos

## 2017

**February**  
Fishermen sign La Procuraduría Federal de Protección al Ambiente (PROFEPA) lawsuit

**March**  
John and fishermen deliver Plan de Desarrollo Urbano (Urban Development Plan) lawsuit to Governor's office

**April**  
Hotel San Cristóbal opens, PROFEPA inspects the site

**May**  
Governor Mendoza visits Tres Santos  
John Moreno is arrested  
Federal judges rule on fishermen's right to the beach

**June**  
Rallies, vigils, fishermen write open letter protesting arrest

**August**  
John is released from jail

## 2018

**January**  
Fishermen regain their historic beach concession

2018  
2014



## PATRIMONIO DISCUSSION GUIDE

By Odetta Ciancarelli

# Comprehension Questions

- ‡ **How** do the first images of the film present Tres Santos and the issues regarding its development project?
- ‡ **Why** is the beach the fishermen use to launch their boats so important to them?
- ‡ **How** does the Tres Santos development project threaten the fishermen's livelihood?
- ‡ **Why** is the community worried about how this development will impact the town of Todos Santos in the longer term?
- ‡ **What** is the problem with the agreement made between Tres Santos and the directors of the fishermen's cooperative?
- ‡ **How** did the governor of Baja California Sur respond to the pleas made to him by the community?
- ‡ **Did** you anticipate how the film would end? Is there anything about its Mexican context that makes the ending a surprise?

# Discussion Points

## 1. PATRIMONIO & HUMAN RIGHTS

- What is patrimony and what does it mean to you?
- Should patrimonies include culture, history, landscape, language, natural resources and quality of life? What do you believe is your patrimonial birthright in your community and country?
- How did this documentary present the idea of patrimony? Who tried to protect it and who threatened to destroy it? Why?
- Is patrimony a right? If so, do you consider it a natural right or a legal right? Should there be laws protecting patrimonies? Explain and support your opinion.
- Do companies have any obligation to the communities in which they are investing to protect patrimonies? Why or why not?

## 2. THE TOURISM INDUSTRY AND ITS IMPACT ON COMMUNITIES AND THE ENVIRONMENT

- Tourism generates 10.4% of the global GDP and 319 million jobs (according to the World Travel and Tourism Council). Do you think that potentially negative environmental and social impacts are acceptable considering its economic impact on the regional development?
- What is the difference between traditional tourism, ecotourism and sustainable tourism?
- For communities, tourism is often an imposition guided by economic and political interests from governments and the private sector. How can governments involve the community in a positive manner? How can communities help decide how many and which types of tourists they are willing to receive?
- Do tourists wanting to enjoy their vacation have an ethical responsibility when deciding where and how they are going to spend that time? What are some ways travelers can make sure their money is going to worthwhile agencies/enterprises?

# Discussion Points

## 3. SELLING THE TRES SANTOS MYTH

- How is greenwashing defined in the film? Can you think of other examples of “greenwashing”?
- How does “greenwashing” affect consumers and communities?
- Which ethical considerations should be considered when discussing “greenwashing”?
- How is Colorado State University connected to the Tres Santos project and why might this be troublesome? Was CSU exploited to serve the developer’s “greenwashing” strategy?

## 4. BAJA CALIFORNIA SUR AND ITS ENVIRONMENT

- How would you describe the environment and ecosystem of BCS?
- What makes BCS vulnerable to overdevelopment?
- What would the potential impacts of a mega-development be on this landscape?
- Should corporations be allowed to build developments in communities where the water supply is precarious? Do you know the source of your community’s water supply and whether or not it is at risk?
- What should the role of government be in regulating tourism that promotes regional, eco-friendly and sustainable development?

# Discussion Points

## 5. ACTIVISM

- ✎ Patrimonio represents the fishermen taking on a multinational corporation as a David v. Goliath battle, one that can be viewed as a microcosm for similar struggles all over the world. Do you have any examples of this in your community? How about in the larger world?
- ✎ Community activism works only if people pull together and persevere to make their voice heard and demand justice. Is there currently activism in your school or community? What happens and who wins when people do nothing: don't protest, don't vote and don't make their voice heard?
- ✎ Do multinational corporations have more rights than citizens just because they have more money?
- ✎ What inherent rights does a community have when threatened by corporate predation? What responsibility do these investors have to the communities that they exploit?
- ✎ What are the repercussions when access to public beaches is restricted by private companies? How can this effect the local population?
- ✎ How should the rights of indigenous populations be considered in these circumstances?
- ✎ In the film, what is the difference between Federal and State justice systems in Mexico?
- ✎ Did you think that justice was served in Patrimonio? What does this teach you about activism and standing with communities you believe are wronged?



### Odetta Ciancarelli

was born in Rome, Italy and lived many years between Europe and the United States. She studied at Brown University, Providence, RI, USA, the Sorbonne and Sciences Po, Paris, France. She has two Masters Degrees, in TESOL (Teaching English to Speakers of Other Languages) and Educational Leadership. She lives in Todos Santos, BCS, where she teaches at the Palapa School.



# VIII. Film Facts

## Key Credits

- Directors:** Lisa F. Jackson, Sarah Teale
- Producers:** Lisa F. Jackson, Sarah Teale
- Camera:** Lisa F. Jackson
- Editor:** Pilar Rico
- Produced by:** Teale Productions, Inc., Jackson Films Inc.
- Principal Cast:** John Moreno / Rosario Salvatierra /  
María Salvatierra / Quirino Cota



## Key Filmmaker Bios



**Lisa F. Jackson**  
Director / Producer /  
Cinematographer

Born in San Francisco, USA in 1950, this producer, director and cinematographer has been making documentaries for over 35 years and has won numerous awards, including two Emmys, a Sundance Jury Prize and the Muse Award from NYWIF. Her credits include *Sex Crimes Unit* (HBO), a portrait of prosecutors in the Manhattan DA's Office; *The Greatest Silence: Rape in the Congo* (HBO), *Meeting with a Killer* (Emmy nominee) and *The Secret Life of Barbie* (Emmy Winner). *It Happened Here*, about sexual assault on college campuses, was broadcast on Pivot in 2015. Her last film with Sarah Teale, *Grazers: A Cooperative Story*, premiered at DOCNYC in 2014.

### Filmography

- 1999 *The Secret Life of Barbie*
- 2000 *Life Afterlife*
- 2001 *Meeting with a Killer*
- 2008 *The Greatest Silence: Rape in Congo*
- 2011 *Sex Crimes Unit*
- 2014 *Grazers*
- 2015 *It Happened Here*
- 2018 *Patrimonio*



**Sarah Teale**  
Director / Producer

An American film and television producer and director, she founded Teale Productions, Inc. in 1988 after having worked for six years at the American public television broadcaster PBS. She has produced films and series which have garnered multiple award nominations, including the HBO Emmy-nominated series *'The Weight of the Nation'* as well as the Emmy-nominated HBO documentaries *Dealing Dogs* and *Hacking Democracy*. She has also filmed and produced documentaries for the BBC, A&E and Discovery Channel. Following *Grazers: A Cooperative Story*, *Patrimonio* is her most recent work in collaboration with Lisa F. Jackson.

### Filmography

- 2006 *Dealing Dogs*
- 2009 *Death on a Factory Farm*
- 2014 *Weight of the Nation*
- 2014 *Grazers: A Cooperative Story*
- 2018 *Patrimonio*



**Pilar Rico**  
Editor

Rico is an editor from Spain based in New York City. After years working in film production and with film festivals in Europe, Pilar moved to New York in 2010 to focus on her editing career. She has worked on documentaries and commercials for production companies and post-houses such as Transient Pictures, Vice, Jackson Films Inc., Teale Productions, FluidNY, Hero Studios, DirecTV and agencies such as J. Walter Thompson, Saatchi and Saatchi or Mother NY. In 2014 she edited the feature documentary *Grazers: A Cooperative Story* by award-winning directors Lisa F. Jackson and Sarah Teale, which premiered at DOCNYC. Most recently, Pilar edited the feature documentary *The Freedom to Marry* by Eddie Rosenstein, winner of Best Editing and Best Documentary Film at 2016 Savannah Film Festival. Pilar has directed and produced short films in Spain and the USA which focus on the immigrant experience (*Más que a mi suerte*, *Welcome to the World*, *Green Card*). Pilar studied film at the University of Valencia, Rutgers University and the University of Amsterdam.

## Film Festivals

Berlin International Film Festival (WORLD PREMIERE)  
 Full Frame International Film Festival (US PREMIERE)  
 Todos Santos International Film Festival  
 Guanajuato International Film Festival  
 Documenta (Queretero) - Winner Best of Fest  
 San Francisco Green Film Festival - Winner Audience Award  
 DocsMX, Mexico City  
 St. Louis International Film Festival

Tall Grass International Film Festival  
 Hot Springs International Documentary Film Festival  
 SCAD Savannah International Film Festival  
 DOCNYC  
 Philadelphia International Film Festival  
 Telluride Mountain Film  
 Annapolis International Film Festival  
 Cinema Planeta, Cuernavaca - Winner of the Audience award  
 "Land and Liberty"



## Select Press Quotes

"Patrimonio" feels like a frightening portent.... thoroughly engrossing.

- **Variety** -



The film portrays activists from the Mexican village of Baja California Sur, who defend their livelihoods. A group of fishermen are resisting a global corporation, challenging the government, revealing corruption and demanding justice.

- **Nachhaltigkeitsrat (Berlin Germany)**

A riveting film that reveals in microcosm a growing global phenomenon. PATRIMONIO, is a cautionary tale that foretells the road ahead for us all.

- **The Times Weekly** -



Patrimonio shows how a fishing community in Todos Santos fought and won against a predatory American-Mexican mega-developer.

- **El Proceso** -

This David versus Goliath story is filled with surprise twists and turns as we peel away the layers of political corruption spurred by greed. It's one of the most inspiring and gripping tales of how sometimes money can't buy everything

- **Reel Honest Reviews** -



A David vs. Goliath fight.

- **El Diario (México)** -

The suspense is as gripping as any Hitchcock movie.... This would be my choice for best documentary of 2018.

- **Louis Proyeet** -



Patrimonio tells the story of the unique and inspiring resistance of brave fishermen who dare to confront a multinational corporate Goliath, demanding respect and refusing to obey the orders that the company imposed.

- **Revista Cambio** -

### PATRIMONIO Study Guide Credits

Editorial Director	Lisa F. Jackson
Writer/Editor	Jennifer Leigh Rosen
Graphic Designer	Diego Fernández Brun
Translator	Ricardo Madrazo
Photographers	Lisa F. Jackson, Sarah Teale, Jennifer Leigh Rosen, Kenny Viese
Proofreader	Megan Frye

### Social Media

[www.patrimoniofilm.com](http://www.patrimoniofilm.com)  
[www.facebook.com/patrimoniodoc](http://www.facebook.com/patrimoniodoc)