

Terry P. Cole

Of Counsel

Tallahassee
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Practice & Industry Areas

- Environmental & Land Use Law
- Real Estate Law

Education

- Florida State University, J.D., 1970
- Florida State University, B.A., 1967

Bar & Court Admissions

- Florida Bar, 1971
- United States District Court
 - Northern District of Florida, 1971
 - Middle District of Florida, 1971
 - Southern District of Florida, 1971
- United States Court of Appeals
 - 5th Circuit, 1971
 - 11th Circuit, 1971
- United States Supreme Court

Overview

Terry Cole focuses his practice on environmental law, governmental administrative law and litigation. He is a member of the firm's Technology Committee. Prior to joining Gunster, he spent 25 years building his law practice at Oertel, Fernandez, Cole & Bryant in Tallahassee.

Prior to moving to private practice, Terry was the assistant secretary of the Florida Department of Environmental Regulation, as well as the general counsel, where he was involved with all department programs and directed the development of many of the rules. During his more than 12 year tenure at DER, Terry played a key role in defining legislation including the Water Quality Assurance Act and the Wetlands Protection Act. Terry speaks at

annual conferences and workshops on total maximum daily loads, air quality, water quality and wetlands.

Today, Terry provides guidance to clients in all industry sectors on important policy issues and strategies regarding water, air and wetlands permitting and regulation.

Representative Matters

- *Keyhaven Associated Enterprises v. State of Florida*
- *South Florida Water Management District v. Miccosukee Tribe of Florida*, U.S. Supreme Court
- *Rite Research Improves the Environment v. Fl. Department of Environmental Regulation, et al*
- *Lanes, et al v. International Paper Company*
- *Putnam County Environmental Council, Inc. v. Florida Department of Environmental Protection and Georgia-Pacific Corporation*

Honors

- AV Preeminent rating as independently determined by Martindale-Hubbell
- *Chambers & Partners*, “Leaders in Their Field,” Environmental, 2011-22
- Member of [Gunster’s environmental law practice ranked “Band 1”](#) by Chambers USA, 2017-21
- *The Best Lawyers in America*®, Environmental Law, 2006-19
- *Florida Super Lawyers*, 2006-14, 2017-18
- *Florida Trend*, Legal Elite, 2004-08, 2013, 2016-18, 2021
- *Chambers USA*, America’s Leading Lawyers for Business, 2003-present
- *Who’s Who Legal*, 2012
- Bar Register Preeminent Lawyers, 1995-present

Publications & Presentations

- “Implementing Florida’s numeric nutrient criteria,” Florida Environmental Network’s Environmental Permitting Summer School, July 2017
- “Special Course Series on Water Quality: Implementing Florida’s Numeric Nutrient Criteria,” moderator, 30th annual Environmental Permitting School, Florida Chamber Foundation, July 2016
- Annual Environmental Permitting Summer School, speaker
- Florida Fruit and Vegetable Association Annual Meeting, speaker
- National Council for Air and Stream

- Improvement Southern Regional Meeting, speaker
- New Directions in Energy and Telecommunications: Balancing Acts
- Appellate Considerations in APA Proceedings
- “Total Maximum Daily Loads in Florida,” *Florida Administrative Practice*, 1999, 2002-04
- “Florida Environmental Law Treatise,” *Florida Administrative Practice*, 1999, 2002
- “Water Quality Discharge Permitting,” *Florida Administrative Practice*, 1997
- “State and Federal Regulation of Construction Activities in the Waters and Wetlands of Florida,” *Florida Environmental Land Use Law*, The Florida Bar, 1986, 1988, 1991
- “Practice before Environmental Licensing Agencies,” 2d Ed., *Florida Administrative Practice*, 1981, 1989
- “Groundwater and Practice Regulation,” *Florida Administrative Practice*, Second and Third Editions
- National Pollutant Discharge Elimination System Program, *Florida Environmental and Land Use Law Section of the Florida Bar*

Professional Associations & Memberships

- Florida Bar
 - Environmental & Land Use Section
- FSU School of Law, board of visitors
- Delta Theta Phi